

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32874 of 2025

Arising Out of PS. Case No.-45 Year-2025 Thana- PIPRAHI District- Sheohar

Upendra Raut S/o Late Janak Raut Resident of Village- Ram Nagara, P.S.-
Riga, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 35157 of 2025

Arising Out of PS. Case No.-45 Year-2025 Thana- PIPRAHI District- Sheohar

Sikindar Raut @ Sikandar Raut @ Sikendra Raut S/o Late Janak Raut @ Late
Janag Raut Resident of Village- Ramnagara, P.S.- Riga, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 32874 of 2025)
For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate
For the State : Mr.Md. Ataur Rahman, APP
For the Informant : Mr. Dwij Raj, Advocate
(In CRIMINAL MISCELLANEOUS No. 35157 of 2025)
For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate
For the State : Mr.Ramesh Chandra, APP
For the Informant : Mr. Dwij Raj, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 03-09-2025 Learned counsel for the petitioner seeks permission to
correct the date in paragraph 4 of Cr. Misc. No. 35157 of 2025
which has been wrongly overwritten as 27.03.2025.

2. He is permitted to make correction in course of the
day.

3. Heard learned counsel for the petitioners and



learned APP for the State as well as learned counsel appearing on behalf of the informant.

4. In the present case, the petitioners seek bail in connection with Piprahi P.S. Case No. 45 of 2025 registered for the alleged offences under Sections 126(2), 115(2), 118(1), 103, 109, 351(3), 3(5) of B.N.S.

5. As per prosecution case, while the informant, her husband and her children had been going to her parental home on a motorcycle, six persons on two motorcycles intercepted them and hurling abuses, they started assaulting the informant and her husband. The petitioners are stated to be two such miscreants. Further, allegation is that the petitioner Sikindar and co-accused Arjun caught hold of the husband of the informant and on saying of petitioner Sikindar, co-accused Tausif gave a number of knife blows to the husband of the informant. When the informant tried to save her husband, she was caught hold by co-accused Dinesh Thakur and petitioner Upendra Raut and co-accused Tausif gave knife blow on her head and neck causing severe injuries to her. The husband of the informant succumbed to his injuries in course of treatment. The whole occurrence took place in the background of previous dispute between the family of the informant and the family of their agnate late Gagandeo



Thakur. Further, dispute arose on petty matter with the family of Sikindar Raut and Upendra Raut.

6. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The allegation against the petitioner Sikindar Raut is that he caught hold of the deceased and co-accused Arjun and co-accused Tausif stabbed him and subsequently, he succumbed to his injuries. Therefore, allegation of causing fatal injuries is against co-accused Tausif. The petitioners are stranger to the family of the informant and land dispute is between the informant and co-accused agnates. There was no motive for the petitioners to commit the murder of the husband of the informant but they have been falsely implicated in this case for the reason that they acted as Panches. The allegation of stabbing the informant and her husband is against co-accused Tausif and no allegation of any assault has been levelled against the petitioners. The petitioners are in custody since 15.03.2025 and charge sheet has been submitted. The petitioners are having clean antecedent.

7. Learned APP as well as learned counsel appearing on behalf of the informant vehemently oppose the submission made on behalf of the petitioners. Learned counsel for the



informant submits that the informant is also a victim and she has specifically named the petitioners, who were present at the spot and the petitioner Sikindar Raut with co-accused Arjun caught hold of the husband of the informant, who was stabbed to death by co-accused Tausif. At the same time, the informant was caught hold by the petitioner Upendra Raut and co-accused Dinesh Thakur and was stabbed by co-accused Tausif. Learned counsel further submits that all the co-accused persons and the petitioners were in connivance and they caused death of the husband of the informant.

8. Having regard to the fact that the petitioner Sikindar Raut and co-accused Arjun caught hold of the husband of the informant, who was stabbed and subsequently lost his life and thus instrumental in causing death of the husband of the informant and considering the serious nature of allegation against petitioner Sikindar Raut, I am not inclined to enlarge the petitioner **Sikindar Raut** on bail and accordingly, his prayer for bail is **rejected**.

9. However, there appears no serious allegation against the petitioner Upendra Raut and considering the period of custody of the petitioner, his clean antecedent and submission of charge sheet, the petitioner Upendra Raut is directed to be



released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Sheohar/concerned Court in connection with Piprahi P.S. Case No. 45 of 2025, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

10. Learned trial court is directed to expedite the trial and conclude the same at the earliest considering the period of custody of the petitioner.

(Arun Kumar Jha, J)

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