

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39948 of 2025

Arising Out of PS. Case No.-136 Year-2024 Thana- KHAIRA District- Jamui

1. Abhay Pandey @ Abhay Kumar Pandey S/o- Tripurari Pandey Village- Kahardih, PS- Khaira District- Jamui
2. Rupesh Pandey @ Rajeev Kumar S/o- Tripurari Pandey Village- Kahardih, PS- Khaira District- Jamui
3. Sanjeev Pandey @ Sanjeev Kumar Pandey S/o- Tripurari Pandey Village- Kahardih, PS- Khaira District- Jamui
4. Ajay Pandey @ Ajay Kumar S/o- Tripurari Pandey Village- Kahardih, PS- Khaira District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Advocate
For the Opposite Party/s : Mr. Pushpa Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 26-06-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Khaira
P.S. Case No. 136 of 2024 instituted for the offences under
Sections 302, 201, 120B/34 of the Indian Penal Code.

3. Earlier, vide order dated 14.11.2024, the prayer for
grant of anticipatory bail to the petitioners was rejected. The
present application is the first attempt of the petitioners for grant
of regular bail.

4. Prosecution story, in short, is that, petitioners along



with other co-accused persons killed the informant's sister and cremated the dead body.

5. Learned counsel for the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case due to family dispute. Learned counsel further submitted that petitioners are brother-in-laws of the deceased and they live separately and had no concern with the family affairs of the deceased and her family. The husband of the deceased has already been granted bail by this Court vide order dated 20.11.2024 passed in Cr. Misc. No. 60672 of 2024. Learned counsel for the petitioners submitted that general and omnibus allegation has been made against these petitioners. No specific overt act is alleged against these petitioners. It has been submitted on behalf of the petitioners that the petitioners are in custody since 03.05.2025 and has no criminal antecedent.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties



of the like amount each to the satisfaction of Court below/concerned Court in connection with Khaira P.S. Case No. 136 of 2024, subject to the following conditions:

- (I) One of the bailors shall be own/close member of the family of the petitioners.
- (II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.
- (III) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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