

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52671 of 2025

Arising Out of PS. Case No.-271 Year-2024 Thana- DUMRA District- Sitamarhi

1. Pramod Rai S/O Brahamdev Rai @ Brahmdev Rai
 2. Chhedi Rai S/O Brahamdev Rai @ Brahmdev Rai
 3. Anil Kumar @ Anil Rai S/O Brahamdev Rai @ Brahmdev Rai
- All are Resident of village- Mirchaiya, PS- Dumra, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ayush Kumar, Advocate
For the Opposite Party/s : Mr.Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-08-2025 Heard Mr.Ayush Kumar, learned counsel for the

petitioners and Mr.Murli Dhar, learned Additional Public

Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Dumra P.S.Case No.271 of 2024, FIR dated 19.06.2024 registered for the offences punishable under Sections 109, 110, 114, 115, 182, 194, 195, 201, 202, 203, 111, 120B/34 of the Indian Penal Code.

3. According to prosecution case, all the accused persons including these petitioners have participated in the cremation of Abhilasha Kumari (deceased) who was murdered by Raj Kumar Rai and they have concealed the facts about the



aforesaid murder from the police.

4. Learned counsel for the petitioners submits that the allegation as alleged in the FIR is false and fabricated and the petitioners have not committed any offence as alleged in the FIR. As per allegation in the FIR, the petitioners and other co-accused persons concealed the fact in connection with Dumra P.S.Case No. 372 of 2023 due to which the dead body of the deceased in connection with Dumra P.S.Case No. 372 of 2023 was not recovered by the police and the petitioners and other -accused persons have narrated the wrong story before the police and apart from that, allegation against the petitioners that they have participated in the cremation of the dead body of the deceased in connection with Dumra P.S.Case No. 372 of 2023 and except the aforesaid, no other material has come during investigation against the petitioners to suggest the involvement of the petitioners in the present occurrence and similarly situated co-accused persons, namely, Puran Rai and Anr. have been granted privilege of anticipatory bail by this Court vide order dated 20.05.2025 passed in Cr. Misc. No.26317 of 2025 and co-accused persons, namely, Ram Padarath Kumar and others have also been granted privilege of anticipatory bail by this Court vide order dated 10.07.2025 passed in Cr. Misc.



No.35037 of 2025.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioners and submits that the petitioners and other c-accused persons have misled the police and apart from that, petitioners carry one more case other than the present one but fairly submits that the petitioners are on bail in the said case, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts and similarly situated co-accused persons have been granted privilege of anticipatory bail by this Court, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Dumra P.S. Case No.271 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 and with other following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(II) 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.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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