

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53032 of 2025

Arising Out of PS. Case No.-141 Year-2024 Thana- NAUBATPUR District- Patna

Rishi Kumar @ Rishi Babu son of Anand Narain Singh Village- Shekhpura
P.S -Naubatpur District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Krishna Kumar Singh, Adv.
For the Opposite Party/s	:	Mr.Choubey Jawahar, APP
For the Informant	:	Mr. Rana Ishwar Chandra, Adv.

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

ORAL ORDER

4 10-10-2025 Heard learned counsel for the petitioner and learned
APP for the State as also learned counsel for the informant.

2. The petitioner seeks bail in connection with Naubatpur P.S. Case No. 141 of 2024 registered for the offence(s) punishable under Section(s) 302, 120(B)/34 of the Indian Penal Code and Section 27 of Arms Act.

3. As per prosecution case, the accusation against the accused persons including the petitioner is of committing murder of the Informant's husband and her *devar* by firing.

4. The petitioner has renewed his prayer for grant of regular bail which was earlier rejected by this Court on the ground of nature and gravity of the offence vide order dated



05.12.2024 passed in Cr. Misc. No. 64008 of 2024.

5. Learned counsel for the petitioner submits that the petitioner is in custody since 11.03.2024 and the co-accused Dayanand Dubey @ Chhote has already been granted bail by this Court vide order dated 08.07.2025 passed in Cr. Misc. No. 29505 of 2025. He further submits that the charge has been framed but, the trial has not yet been started and, hence, there is no likelihood of conclusion of the trial in near future.

6. In compliance to the order of this Court dated 01.08.2025, learned court below has sent report dated 10.09.2025 regarding present stage of trial.

7. The report of the learned court below dated 10.09.2025 shows that after the charge-sheet was submitted by the Investigating officer while continuing the supplementary investigation, on 21.11.2024, cognizance has been taken against three accused persons including the petitioner and four absconding accused under Sections 302, 120B/34 of the I.P.C. and Section 27 of the Arms Act. It is further stated that the trial is going on for the appearance of five accused persons who are in jail and the remaining two absconding accused and the next date for appearance in the case is fixed as 20.09.2025.

8. Having heard learned counsel for the parties and



gone through the report sent by the learned court below, this Court finds that the charge has been framed by the learned court below but, the trial has not yet been commenced and the petitioner is in custody since 11.03.2024.

9. In view of the aforesaid fact and circumstances of the case and considering the prolonged incarceration of the petitioner as also taking into account that the trial has not been initiated as yet, this Court is inclined to grant bail to the petitioner.

10. Let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Naubatpur P.S. Case No. 141 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be



cancelled by the court below.

(iii) If the petitioner tampers with the evidence or the witnesses of the case by intimidating/pressurizing the witnesses, during the investigation or trial, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) The petitioner will not leave the territorial jurisdiction of the learned court below without prior permission for the same.

11. In case of non-compliance of any of the terms and conditions stated herein above, the prosecution will be at liberty to move for cancellation of the bail bond of the petitioner.

(Rudra Prakash Mishra, J)

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