

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58004 of 2025

Arising Out of PS. Case No.-45 Year-2025 Thana- KHAIRA District- Saran

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1. SARASWATI DEVI W/o- Lalan Rai Resident of village- Bara Takia PS- Khaira District-Saran at Chhapra
 2. Lalan Rai @ Lallan Rai S/o- Late Ramayan Rai Resident of village- Bara Takia PS- Khaira District-Saran at Chhapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Rakesh Kumar, Advocate
For the State	:	Mr. Binod Kumar, APP
For the Informant	:	Mr. Dewendra Narayan Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 07-11-2025 Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel appearing on behalf of the informant.

2. The petitioners seek bail in a case registered for the offence punishable under Sections 103(1), 238, 61(2) and 3(5) of the B.N.S..

3. As per prosecution case, it is alleged that three years old grandson of the informant went missing and later on, his dead body was found. Informant believes that all the F.I.R. named accused persons, including these petitioners, killed his grandson. The informant also alleged that earlier, some



altercation took place between the mother of the deceased and all the F.I.R. named accused persons, including these petitioners, over objectionable video/photographs.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. Informant is not an eye witness to the alleged occurrence and merely on suspicion, petitioners have falsely been implicated in this case. If there was any dispute with the petitioners and other co-accused persons, no complaint was made to the police and even on the date of occurrence when the police reached on call, no such complaint was made. It is further submitted that recovery of the dead body was made on 08.03.2025 and written report was given to the police for registration of FIR on 09.03.2025 at about 14:00 hours which also creates doubt over the prosecution case. Similarly situated co-accused person, namely Priyanka Kumari, has already been granted bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 09.09.2025 passed in Cr. Misc. No. 60724 of 2025. Charge-sheet has already been submitted and petitioners, having no criminal antecedent, are in custody since 10.03.2025.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant have vehemently opposed



the prayer for grant of bail to the petitioners.

6. Considering the facts and circumstances of the case, nature of accusation, claim based on parity, period of custody and clean antecedents of the petitioners, the prayer for grant bail of to the petitioners is allowed.

7. Accordingly, let the above named petitioners 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 3rd District and Additional Sessions Judge, Chapra at Saran in connection with Khaira P.S. Case No. 45 of 2025.

(Prabhat Kumar Singh, J)

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