

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60726 of 2025

Arising Out of PS. Case No.-101 Year-2025 Thana- NAUHATTA District- Rohtas

1. Raghunath Uraon S/O Kishundev Uraon @ Kishun Urab R/O Village- Hurmeta, P.S.- Nauhatta, District- Rohtas
2. Kamlesh Uraon S/O Kishundev Uraon @ Kishun Urab R/O Village- Hurmeta, P.S.- Nauhatta, District- Rohtas
3. Surendra Uraon S/O Kishundev Uraon @ Kishun Urab R/O Village- Hurmeta, P.S.- Nauhatta, District- Rohtas
4. Narendra Uraon @ Harendra Unaon S/O Kishundev Uraon @ Kishun Urab R/O Village- Hurmeta, P.S.- Nauhatta, District- Rohtas
5. Samrajiya Devi @ Somariya Devi W/O Raghunath Uraon R/O Village- Hurmeta, P.S.- Nauhatta, District- Rohtas
6. Pinki Devi W/O Surendra Uraon R/O Village- Hurmeta, P.S.- Nauhatta, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashwani Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-09-2025 Heard Mr. Ashwani Kumar Tiwary, learned counsel
for the petitioners and Mr. Nawal Kishore Prasad, learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Nauhatta P.S. Case No. 101 of 2025, F.I.R. dated 11.04.2025 for the offences punishable under Sections 191(2), 190, 103(1) of the Bhartiya Nyay Sanhita, 2023 and under Section 3/4 Bihar Witch (Daain) Practices Act, 1999.

3. As per the First Information Report, the informant



alleged that the petitioners along with other accused persons killed his wife, namely, Kismi Devi by throttling.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. There is case and counter case between the parties. From bare perusal of the FIR it appears that although the petitioners are named in the FIR but there is no specific allegation of assault or overt act against them rather the allegation levelled against all the accused persons including the petitioners are general and omnibus.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, there is no specific allegation of assault or overt act against the petitioners and the petitioners have clean antecedent and there is case and counter case between the parties, let the petitioners, above named, in the event of 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 the learned JMFC, Dehri, Rohtas in connection with Nauhatta P.S. Case No. 101 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal



Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 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 bond shall be cancelled by the Court below.

ii. If the petitioners tampers 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 antecedent, 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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