IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30498 of 2026

Arising Out of PS. Case No.-71 Year-2025 Thana- FALKA District- Katihar

==========

1. Lalit Raj S/o Sri Ram Ekbal Paswan R/o Musapur, PS - Korha, Distt. - Katihar.
2. Vishal Kumar S/o Putul Paswan R/o Musapur, PS - Korha, Distt. - Katihar.
3. Putul Paswan @ Dhirendra Paswan @ Dhiren Paswan S/o Jaggan Paswan R/o Musapur, PS - Korha, Distt. - Katihar.
4. Fulamani Devi W/o Jaggan Paswan R/o Musapur, PS - Korha, Distt. - Katihar.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr.Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr.Bharat Lal, APP

==========

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

5 21-08-2026 Heard Mr. Sanjeev Kumar Singh, learned counsel appearing on behalf of the petitioners and Mr. Bharat Lal, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Falka P.S. Case No. 71 of 2025 registered for the offence(s) punishable under Sections 126(2), 115(2), 108, 352,351(2),3(5) of the BNS.

3. As per the allegation made in the FIR, the petitioner no.1 and other family members of his wife, namely, co-accused Anchal Kumari, instigated the son of the informant to commit suicide.

WEB COPY

4. Learned counsel appearing on behalf of the petitioners submits that there is no eyewitness to the alleged occurrence and that the deceased was found hanging and the villagers witnessed, indicating that he had committed suicide. It is further submitted that the allegations levelled against the petitioners are general and omnibus in nature. The post-mortem report discloses the cause of death as asphyxia due to hanging, and no external injury was found on the person of the deceased. It is further submitted that the deceased, for reasons best known to him, committed suicide and that the petitioners have no complicity in the alleged offence. Learned counsel further submits that other co-accused persons have already been granted the privilege of pre-arrest bail and that the petitioners have clean antecedents. On these grounds, the petitioners seek to be released on pre-arrest bail

5. *Per Contra*, learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail and submitted that complicity of the petitioner no.1 cannot be denied as he along with two-three unknown women insulted the deceased in public, which led him to commit suicide. Case of the petitioners cannot be said to be as that of two co-accused who have been granted pre-arrest bail. He further submitted that the villagers have also

WEB COPY

supported the alleged occurrence and in course of investigation materials have surfaced against the petitioners and as such, they don't deserve to be released on pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR and the material which has surfaced in course of investigation, I find that the petitioner no.1 is brother-in-law of wife of the deceased. There is specific allegation in the FIR that he along with two-three unknown women visited the house of the informant and they insulted the deceased in public about which the deceased has informed his mother on telephone and subsequently, it was found that the deceased has committed suicide. The complicity of the petitioner no.1 cannot be denied. **As such, I am not inclined to grant pre-arrest bail to the petitioner no.1.**

7. The Superintendent of Police is directed to forthwith take the petitioner no.1 into custody and produce him before the learned District Court.

8. So far as petitioners no.2, 3 and 4 are concerned, there being general and omnibus allegation against them, **the petitioners no.2, 3 and 4, above named, are directed to be released on pre-arrest bail**, in the event of their arrest or

WEB COPY

surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Katihar / Concerned Court in connection with Falka P.S. Case No. 71 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

9. The learned District Court is directed to verify the criminal antecedent of the petitioners no.2, 3 and 4 and if it is found that the petitioners no.2, 3 and 4 are involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

10. The bail application stands disposed of.

(Purnendu Singh, J)

Sanjay/-

U		T	

WEB COPY