

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18876 of 2025

Arising Out of PS. Case No.-784 Year-2024 Thana- RAMKRISHNANAGAR District- Patna

Braj Kishore Sharma @ Butan Singh @ Butan Sharma S/O Late Bhrgunanan
Sharma Resident of Parampura, P.S.- Mehandia, Dist.- Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate

For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 05-08-2025 Heard Mr. Ravindra Kumar, learned counsel for the

petitioner and Mr. Anil Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Ramkrishna Nagar P.S. Case No. 784 of 2024, F.I.R. dated 07.10.2024 for the offences punishable under Sections 109/3(5) of the Bhartiya Nyay Sanhita, 2023 and Section 27 of the Arms Act and Section 103 of Bhartiya Nyay Sanhita has been subsequently added.

3. As per the First Information Report, the petitioner suspects the involvement of the petitioner in committing murder of his brother, namely, Deepak Kumar Ojha (now, deceased).

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. The petitioner is not named in the FIR and his name transpired during investigation on the basis of confessional



statement of co-accused, namely, Gaurav Kumar and on the basis of secret informant that the petitioner was involved in the present crime in question. He further submits that the victim was under treatment from 06.10.2024 to 23.10.2024 but in between neither his statement has been recorded nor he disclosed the name of any person and apart from that co-accused person, namely, Ranju @ Ranjan Yadav @ Ranjan Kumar Yadav has been granted the privilege of anticipatory bail by this Court vide order dated 16.06.2025 in Cr. Misc. No. 25261 of 2025.

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

6. Considering the aforesaid facts and circumstances, the petitioner has clean antecedent and he is not named in the FIR and his name transpired during investigation on the basis of secret information and confessional statement of co-accused person and the victim died during treatment and the victim has not stated anything about the petitioner and similarly situated co-accused person has been granted the privilege of anticipatory bail by this Court, let the petitioner, 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) with two sureties of the like amount each to the satisfaction of the learned



Judicial Magistrate-1st Class-XV, Patna in connection with Ramkrishna Nagar P.S. Case No. 784 of 2024, 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. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner 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 petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond 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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