

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29800 of 2025

Arising Out of PS. Case No.-178 Year-2024 Thana- SUPPI District- Sitamarhi

1. Sarmila Devi W/o Gagan Ram Resident of Village- Nanhkar, Simardah, P. S.- Suppi, Distt.- Sitamarhi
2. Sudhir Ram @ Sujit Ram S/o Gagan Ram Resident of Village- Nanhkar, Simardah, P. S.- Suppi, Distt.- Sitamarhi
3. Randhir Ram S/o Gagan Ram Resident of Village- Nanhkar, Simardah, P. S.- Suppi, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Jha, Advocate
For the State	:	Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 13-08-2025

Heard Mr. Ashok Kumar Jha, learned counsel for the petitioner and learned Mr. Md. Fahimuddin, learned APP representing the State.

2. The petitioners are in custody in connection with Suppi P.S. Case No. 178 of 2024 for the offence punishable under sections 103(1), 61(2) and 3(5) of the Bharatiya Nyaya Sanhita and section 27 of the Arms Act, lodged on 29.09.2024 by the informant, Jaymohan Ram.

3. As per the prosecution story, the informant alleged that Vishal Kumar and Binay Ram took his son Om Prakash Kumar to a nearby mango tree and opened fire causing instant death. The villagers upon hearing the gun shot rushed to the place, both the accused persons were apprehended and upon enquiry, they gave the names of these petitioners who provided



the arms. This led to the F.I.R.

4. Learned counsel for the petitioners submit that admittedly, the allegation of killing is on Binay Ram and Vishal Kumar, they were immediately apprehended from the spot itself, only to increase the list of accused, these petitioners have been implicated for which already Suppi P.S. Case No. 179 of 2024 has been lodged, they are in custody since 01.02.2025 and undertakes to diligently appearing in trial.

5. Learned APP opposes the prayer for bail submitting that the pistol that was used to kill the informant's son was supplied by these petitioners.

6. Considering the submissions of the parties as also that so far as the arms case is concerned, already a different F.I.R. has been lodged, allegation of killing is on Binay Ram and Vishal Kumar, they are in custody, these petitioners have remained in custody since 01.02.2025, in that background, this Court is inclined to extend them the privilege of bail with conditions.

7. Let the petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, in connection with Suppi



P.S. Case No. 178 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioner nos. 2 and 3 shall appear before the concerned police station every fortnight for six months to mark their attendance and shall be submitting the attendance certificate granted by the Police Station after six months;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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