

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32290 of 2025

Arising Out of PS. Case No.-145 Year-2021 Thana- VIJAYEPUR District- Gopalganj

Radheshyam Sharma S/O Late Bholanath Sharma R/O Village- Chaumukha,
P.S- Vijaipur, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh
For the Opposite Party/s : Mr.Gauri Shankar Gupta

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 19-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 302 and 34 of the Indian
Penal Code.

3. The informant of the present prosecution case,
namely, Radheshyam Sharma has subsequently been made an
accused in the present case. As per the First Information Report,
the informant/petitioner has disclosed that on 15.07.2021, he
found that his father was missing and subsequently it was found
that the deceased was murdered and was being taken to the
hospital by the police. The informant also went to the hospital
along with the police where his father died.

4. Learned counsel for the petitioner submits that the
petitioner was the informant of the present case and also the son



of the deceased. The case was registered against unknown miscreants as there was no eye witness to the present case. It has further been submitted that during the course of investigation, on account of some land dispute, one Ramnaresh Manjhi, Robin Yadav and Sandip Yadav have taken the name of the petitioner in collusion with one Ramshanchi Manjhi with a view to grab the money of the land which was purchased by them from the deceased. It has further been submitted that there is no other material collected during the entire course of investigation to connect the petitioner to the present case. In the order of the learned court below, there is a reference to paragraph-13 of the case diary and it has been stated that the deceased had disclosed the name of the petitioner in injured condition. Learned counsel submits that it is a fact that the petitioner in an injured condition was taking the name of his son but it is nowhere the case that he has disclosed that the petitioner had assaulted or tried to kill him. Paragraph-31 of the case diary which is referred to in the order of the learned court below also contains the supervision note and similar kind of statements have been referred and as per the said statement only a suspicion has arisen against the petitioner. It also appears from the order of learned court below that the mother and brother of petitioner have also filed an affidavit



stating that the petitioner has no role to play in the death of the deceased.

5. Learned APP for the State has opposed the application for anticipatory bail.

6. In such view of the matter, taking into consideration that the petitioner was himself the informant and is also son of the deceased and also that there is no eye witness to the occurrence and no substantial material has been collected against the petitioner during course of investigation and petitioner has no criminal antecedent, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Vijaipur P.S. Case No. 145 of 2021.

(Soni Shrivastava, J)

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