

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32163 of 2025

Arising Out of PS. Case No.-177 Year-2024 Thana- SURYAGARHA District- Lakhisarai

1. Adhik Ram S/O Late Ramchandra Ram R/O Vill.- Nawabganj, P.S.- Surajgraha, Dist.- Lakhisarai
2. Ramadhar Ram S/O Late Bal Kishun Ram R/O Vill.- Nawabganj, P.S.- Surajgraha, Dist.- Lakhisarai
3. Sudama Ram S/O Late Bal Kishun Ram R/O Vill.- Nawabganj, P.S. - Surajgraha, Dist.- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajive Ranjan Singh, Advocate
For the State	:	Mr. Upendra Kumar, APP
For the Informant	:	Mr. Rajesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 02-09-2025 Heard learned counsel for the petitioners and learned
APP for the State as well as learned counsel for the informant.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Surajgarha P.S. Case No.-177 of 2024, registered for the offences punishable under Section 302/34 of IPC and Section 27 of the Arms Act.

3. As per allegation, the accused persons along with co-accused, Budhan Ram, went to the house of the informant and asked about the whereabouts of her son. When she did not disclose the whereabouts of her son, she was shot at by Budhan



Ram and in course of treatment, she was declared dead.

4. Learned counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that prior to the present F.I.R., one criminal case bearing Surajgarha P.S. Case No. 132 of 2024 has been lodged against the informant side for killing Amit Kumar Dhari, who was nephew of the accused persons and hence, as a counterblast, this false case has been filed against the petitioners. He further submits that there is no allegation of any overt act against the petitioners, except allegation against Ramadhar Ram that he gave order for killing the deceased. As per the FIR, only co-accused, Budhan Ram has shot dead the victim.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner No. 1 has four criminal antecedents and Petitioner No. 2 has three criminal antecedents, whereas petitioner No. 3 has one criminal antecedent.

7. Learned APP for the State and learned counsel for the informant vehemently oppose the prayer of the Petitioners



for bail submitting that all the petitioners have criminal antecedents and they were present along with the main assailant Budhan Ram and hence, criminal liability of these petitioners under Section 34 of IPC is there and in view of serious nature of the alleged offence, the petitioners should not be granted anticipatory bail, more so in the light of criminal antecedents.

8. Considering the nature of allegation as well as criminal antecedents of the petitioners, I am not persuaded to enlarge the petitioners on anticipatory bail.

9. Accordingly, the anticipatory bail petition of the petitioners is hereby rejected.

(Jitendra Kumar, J.)

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