

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34806 of 2025

Arising Out of PS. Case No.-92 Year-2024 Thana- GWALPARA District- Madhepura

Ram Chandra Viswas Son of Raghunandan Viswas @ Mahanti Viswas
Resident of Village - Jayram Parasi, Ward No.- 03, Police Station - Gwalpara,
District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Jha
For the Opposite Party/s : Mr.Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

3 02-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Gwalpara P.S. Case No. 92 of 2024 registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution story, the informant has alleged that on 13.05.2024, his brother *Santosh Vishwas*, was shot dead while eating, by three armed individuals. Amongst them, two assailants were identified as *Ranjan Kumar* and *Ramchandra Vishwas*, while the third assailant wore a towel



covering his face and remained unidentified. No one else was present nearby. Villagers rushed to place of occurrence after hearing gunshots and helped to take Santosh to Saharsa Suchi Hospital, where he succumbed to the gunshot injuries.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to village rivalry. There is no motive of murder mentioned in the F.I.R. or case diary. Police has not taken statement of any independent eye witnesses and only family members have given their statement as witnesses. It is further submitted that petitioner is a man of clean antecedent who is languishing in jail since 27.05.2024. Lastly, he prayed to enlarge the petitioner on bail.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. From perusal of the F.I.R. it transpires that there is direct and specific allegation against the petitioner and co-accused *Ranjan Kumar* to kill the deceased namely, *Santosh Vishwas* on the alleged date and time of occurrence by making firing. In para 7, 8 and 9 of the case diary, the witnesses have clearly stated that petitioner along with *Ranjan Kumar* fired, which hit the deceased and consequently he died. In post



mortem report, cause of death is also mentioned i.e. “*due to cardio respiratory arrest due to haemorrhage & shock due to internal bleeding caused by firearm injury of abdomen*”.

7. Keeping in view the aforesaid facts and considering the direct and specific allegation as also the post mortem report, I am not persuaded to enlarge the petitioner on bail.

8. Accordingly, the prayer of bail stands **rejected**.

(S. B. Pd. Singh, J)

Ankit Kumar/-

U		T	
---	--	---	--

