

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41480 of 2025

Arising Out of PS. Case No.-325 Year-2023 Thana- KESARIA District- East Champaran

Sonu Kumar Ram @ Sonu Kumar S/O Chandrika Ram R/O Village-
Konhiya, P.S- Kesariya, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kabita Devi W/O Late Ravi Ranjan Kumar Ram @ Late Ravi Ranjan Ram
R/O Village- Konhiya, P.S- Kesariya, Distt.- East Champaran.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Parmanand Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 09-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Kesariya P.S. Case No. 325 of 2023, registered for the offences under Sections 302, 3201, 120(B) of the Indian Penal Code.

3. As per the prosecution case, in the background of some dispute amongst the family members, husband of the informant was killed by the petitioner and other family members.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has been falsely implicated in this case. Petitioner is the younger brother



of the deceased and from bare perusal of the written report it is apparent that the allegations are completely vague and concocted. In the written report, the informant has stated that some altercation took place in the house between her husband and his parents, brother & other family members which was instigated by the brother-in-law of the deceased. From the written report it is also apparent that the informant left for her parental home leaving behind her husband and on receiving information about death of her husband, she lodged this report. But there is no eye witness to the occurrence. The petitioner and his father had been living separate in the mess and business from the husband of the informant. The informant is herself a lady of questionable character and she used to quarrel with her husband. After the informant left her husband, his dead body was found in the house and being the family members, the petitioner and other co-accused persons took the body for cremation. After informing the informant about death of her husband she did not turn up. Considering these facts and circumstances, the learned Co-ordinate Bench vide order dated 05.03.2024 passed in Cr. Misc. No. 72373 of 2023 granted bail to co-accused Chandrika Ram, father of this petitioner. Learned counsel further submits that the allegation of killing the husband



of the informant is not believable that on some petty dispute, the petitioner would kill his own brother with the help of his parents and other family members. Learned counsel further submits that petitioner has no criminal antecedent. The petitioner is in custody since 24.03.2025 and charge sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner. Learned A.P.P. submits that there is specific allegation against the petitioner that he was instrumental in killing his brother.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the completely vague nature of allegation and also considering absence of cogent material against the petitioner and his period of custody and submission of charge sheet along with his clean antecedent, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned C.J.M., East Champaran, Motihari/concerned court, in connection with Kesariya P.S. Case No. 325 of 2023, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

- (i) One of the bailors will be a close



relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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