

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47725 of 2025

Arising Out of PS. Case No.-34 Year-2025 Thana- KUTUMBA District- Aurangabad

Sharvan Ram @ Shravan Ram, S/o Kapil Ram @ Kapildev Ram, R/o village
- Eeka, (Amba), P.S.- Kutumba, Distt. - Aurangabad (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Santosh Kumar Pandey, Advocate
For the State	:	Md. Matloob Rab, APP
For the Informant	:	Mr. Kedar Yadav, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 04-09-2025 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State duly assisted by

learned counsel for the informant.

2. The accused/petitioner seeks bail in connection
with Kutumba P.S. Case No.34 of 2025 registered for the
offences punishable under Sections 103, 238, 61(2) read
with 3(5) of the Bhartiya Nyaya Sanhita, 2023 (for short
'B.N.S.').

3. The accused/petitioner is named in the FIR and is
in custody since 30.04.2025.

4. As per the case of prosecution, the dead body of
minor son of the informant namely, Ankit Kumar was found
near Erka colony, playground and his throat was found slit. It



further appears that the informant raised his suspicion against co-accused Jagdish Ram and his three sons namely, Pappu, Jaswant and Niraj for said occurrence, as one son of informant namely, Sujeet was in love affairs with the grand daughter of co-accused Jagdish Ram and for said reason, on several occasions, threat to face dire consequences were advanced by these co-accused persons. Concluding FIR, the name of this petitioner along with co-accused Awadhesh Ram was also added, saying involvement in present occurrence.

5. It is submitted by learned counsel appearing for petitioner that from the face of FIR, the thrust of suspicion roaming around co-accused Jagdish Ram and his three sons namely, Pappu, Jaswant and Niraj and merely on the ground that co-accused Awadhesh Ram and this petitioner are neighbour and agnate of Jagdish Ram, were implicated with present case, having otherwise no connection with daily and domestic affairs of other co-accused persons. It is submitted that admittedly informant is not the eye-witness of the occurrence and during investigation, except suspicion arising out of confessional statement of co-accused, nothing appears



incriminating as to connect petitioner *prima facie* with present crime in question. It is also submitted that co-accused Awadhesh Ram having similar allegation has already been granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No.38936 of 2025 dated 25.06.2025 and, therefore, on the ground of parity, this petitioner also deserves bail, who is a man of clean antecedent. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Md. Matloob Rab, learned APP duly assisted by Mr. Kedar Yadav, learned counsel for the informant while opposing the prayer of bail submitted that the petitioner actively involved during occurrence as per confessional statement of co-accused persons, as it is apparent from the impugned order through which, the prayer of bail of the petitioner was rejected by learned trial court.

7. In view of aforesaid factual submissions and by taking note of fact as except suspicion arising out of



confessional statement of co-accused, nothing appears incriminating against petitioner *prima facie* to connect him with crime in question, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 30.04.2025, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Aurangabad in connection with Kutumba P.S. Case No.34 of 2025, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short ‘CrPC’)/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short ‘BNSS’).

(Chandra Shekhar Jha, J.)

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