

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49304 of 2025

Arising Out of PS. Case No.-78 Year-2025 Thana- KHANPURA District- Samastipur

1. Raju Ram @ Raju S/o- Kusho Ram Resident of Madhu Tola P.S- Khanpur, Dist- Samastipur
2. Tileswer Ram @ Tilekrshwwar Ram S/o- Kishori Ram Resident of Madhu Tola P.S- Khanpur, Dist- Samastipur
3. Maheswer Ram S/o- Tileswer Ram @ Tilekrshwwar Ram Resident of Madhu Tola P.S- Khanpur, Dist- Samastipur
4. Anil Ram S/o- Tileswer Ram @ Tilekrshwwar Ram Resident of Madhu Tola P.S- Khanpur, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 24-09-2025 Heard learned counsel for the petitioners, learned APP for the State and perused the case diary.

2. The petitioners seek bail in connection with Khanpur P.S. Case No. 78 of 2025, instituted for the offences punishable under Sections 126(2), 115(2), 352, 103(1), 351(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that the petitioners along with other co-accused persons have assaulted informant's father-in-law by means of lathi and iron-rod due to which he sustained injuries and later the victim succumbed to his injuries.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioners. Learned counsel for the petitioners also submits that there is delay of two days in lodging the FIR. No specific allegation has been attributed against these petitioners rather the same is general and omnibus in nature. It is further submitted that the victim is an old man who fell down, sustained injuries and was declared dead when he was taken to the hospital. The petitioners are in custody since 03.04.2025 and have got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners and submits that there is specific allegation against petitioner no. 1, namely, Raju Ram. It is further submitted that witnesses have also supported the prosecution case. Hence, the petitioners do not deserve the privilege of bail.

6. Having considered the rival submissions made behalf of the parties, taking into account the specific allegation against petitioner no. 1, this Court is not inclined to grant bail to petitioner no. 1. So far as remaining petitioners, i.e. petitioner



nos. 2, 3 and 4 are concerned, this Court is inclined to grant bail to petitioner nos. 2, 3 and 4.

7. Accordingly, the prayer for grant of bail to petitioner no. 1, namely, Raju Ram, is hereby, **rejected**.

8. So far as petitioner nos. 2, 3 and 4 are concerned, considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioners, this Court is inclined to grant bail to them.

9. Let the petitioner nos. 2, 3 and 4 be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Khanpur P.S. Case No. 78 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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

