

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65094 of 2025

Arising Out of PS. Case No.-307 Year-2024 Thana- RUNISAIDPUR District- Sitamarhi

Shivam Kumar S/O Jani Rai @ Gayani Ray R/O Vill.- Baghari, P.S.-
Runnisaidpur, Dist.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Pushpendra Kumar Singh, Advocate Mrs. Divya Bharti, Advocate
For the Opposite Party/s :	Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 18-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Runnisaidpur P.S. Case No. 307 of 2024 registered on 27.08.2024 for the offences under Sections 103(1), 3(5) of the Indian Penal Code.

3. As per prosecution case, in the night of 25.08.2024, the father of the informant chased the petitioner who knocked the door of the informant with *lathi*. Thereafter the father of the informant did not return. Next date, the dead body of the father of the informant was recovered. Informant showed his suspicion that the petitioner and his unknown associates might have murdered his father.

4. Learned counsel appearing on behalf of the



petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The alleged date of occurrence is night of 25.08.2024 but the written report was submitted by the informant on 27.08.2024, i.e., after two days of the so called occurrence without any explanation. It is surprising that on 26.08.2024 the police came and prepared inquest report of the dead body and sent the dead body for post-mortem and handed it over to the family member of the of the informant and thereafter the dead body was cremated. But till that time no statement of informant or any other person was taken by the police. Learned counsel further submits that petitioner was falsely implicated by the informant in order to save his own uncle. It also appears that after lapse of two days of so called occurrence the informant cooked up the story and implicated the petitioner by lodging this false case. Petitioner never went to the house of the informant and never abused the father of the informant and the father of the informant did not give any chase to the petitioner and merely cooking up story the informant dragged the petitioner in the present case. There is no eye-witness to the alleged occurrence. Petitioner is having no criminal antecedent. Petitioner is in custody since 24.01.2025 and charge-sheet has been submitted and the case has been



committed for sessions trial.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner. Learned APP submits that there is specific allegation against the petitioner for killing the father of the informant.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the vague and doubtful nature of allegation against the petitioner and also considering the period of custody of the petitioner along with his clean antecedent and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XV, Sitamarhi/concerned court in connection with Runnisaipur P.S. Case No. 307 of 2024, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. 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.



(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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