

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79724 of 2025

Arising Out of PS. Case No.-40 Year-2025 Thana- BARIYARPUR District- Munger

Bikram Kumar Son of Bhim Singh @ Toyam R/o Village- Sitarampur, Naujira
Budhiya Kali Sthan, P.S.- Bariyarpur, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar, Advocate
		Mr. Gunsagar Mahto, Advocate
For the Opposite Party/s	:	Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 28-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Bariyarpur P.S. Case No. 40 of 2025 registered for the alleged offences under Sections 12(2), 115(2), 109, 103(1), 352, 351(2), 351(3), 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, the allegation against the petitioner and other co-accused persons is that in the background of their previous dispute, they assaulted the informant, his son and daughters. In this assault, one of the daughters of the informant died while being taken to hospital.

04. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. The FIR is completely false and concocted. The postmortem report does not show any external injury though there is specific allegation that the daughter of the informant was assaulted. Since cause of death could not be ascertained, viscera was preserved. Two co-accused persons, who are ladies, have been granted anticipatory bail by a Co-ordinate Bench vide order dated 01.09.2025 passed in Criminal Misc. No. 51988 of 2025 and co-accused, Rajeev Kumar, has been granted bail by the same Co-ordinate Bench vide order dated 31.10.2025 passed in Criminal Misc. No. 58107 of 2025. Learned counsel further submits that the petitioner is in custody since 25.03.2025 and charge-sheet has been submitted. The petitioner is having clean antecedent.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the postmortem report does not disclose cause of death though allegation against the petitioner is of stomping the chest and abdomen of the deceased and also considering the period of custody of the petitioner and his clean antecedent along with



submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger/court concerned in connection with Bariyarpur P.S. Case No. 40 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the 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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