

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11401 of 2026

Arising Out of PS. Case No.-477 Year-2025 Thana- BAISI District- Purnia

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1. Vikram Sharma @ Bikram Kumar Sharma S/O Late Tika Lal Sharma R/O Vill.- Jahanpur, Ward no. 9, P.S.- Baisi, Dist.- Purnia.
 2. Rina Devi W/O Late Tika Lal Sharma R/O Vill.- Jahanpur, Ward no. 9, P.S.- Baisi, Dist.- Purnia.
 3. Ratan Lal Sharma @ Ratan Kumar Sharma S/O Late Nemu Lal Sharma R/O Vill.- Jahanpur, Ward no. 9, P.S.- Baisi, Dist.- Purnia.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chandra Lal Sharma S/O-Brijlal Sharma. R/O-Vill-Jahanpur, P.S.-Baisi, Dist.-Purnia.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad, Advocate
For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 08-07-2026 Heard Mr. Md. Helal Ahmad, learned counsel for the petitioner, the State as also Mr. Avnish Kumar, learned counsel representing the informant.

2. The petitioners are apprehending their arrest in connection with Baisi P.S. Case No. 477 of 2025 for the offence under sections 103(1), 115(1) and 3(5) of the BNS lodged on 29.11.2025 by the informant, Chander Lal Sharma.

3. As per the informant-cum-complainant, the allegation is that he is a labour, doing work in Itarsi (Madhya Pradesh) and he got information about the death of his son due



to accident, returned home and saw the dead body which led to the Baisi Case No. 64 of 2025 (03.03.2025). Later, he was informed by the villagers that actually his son was killed. This led to the complaint which turned into the present FIR.

4. Learned counsel for the petitioners submit that a perusal of the first FIR shows that the informant's son met with an accident, the vehicle sped away and after the death, the dead body was taken by the Police for *postmortem* and the *postmortem* report dated 03.03.2025 clearly shows that he died due to serious injuries suffered as a result of a road accident. The further submission is that only on the basis of hearsay and without any material whatsoever, the present petitioners have been made accused and they do not have any criminal antecedent.

5. Learned counsel for the informant submits that though the complaint was lodged on 17.09.2025 six months after the accident and the Baisi P.S. Case No. 64 of 2025 (03.03.2025), the fact remains that on 17.03.2025 itself an information was given regarding the apprehension of killing.

6. Having heard the parties, this Court though refrains from commenting on the merit of the present FIR which has been lodged following the direction of the concerned Court but



can only observe that when Baisi P.S. Case No. 64 of 2025 stands lodged on 03.03.2025 and the facts were already on record, the said facts should have been appreciated.

7. So far as the petitioners are concerned, taking into account the aforesaid facts as also that they do not have any criminal antecedent, in that background, this Court is inclined to extend them the privilege of anticipatory bail with conditions.

8. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Baisi P.S. Case No. 477 of 2025 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document (Aadhaar Card/Voter ID Card/Pan Card/Driving License) to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;



(iii) the petitioner shall be appearing before the Police Station as and when required for cooperating in the investigation;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

Adnan/-

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