IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61389 of 2026

CNR No. BRHC010879232026

Arising Out of PS. Case No.-143 Year-2026 Thana- PURNEA SADAR District- Purnia

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1. Toni Ram @ Sonu Ram @ Sonu Kumar Ram @ Doni Ram Son of-Kenda Ram @ Kant Lal Ram @ Kanda Ram Resident of Village- Gulabbagh, Zero Mile Bypass Road, Ward No. 36, P.s.-Sadar, District-Purnea
2. Verma Ram @ Dilip Ram @ Brahamdev Ram Son of Late Panchu Ram Resident of Village- Gulabbagh, Zero Mile Bypass Road, Ward No. 36, P.s.-Sadar, District-Purnea
3. Dilip Ram @ Dilip Kumar Son of Kailash Ram Resident of Village-Gulabbagh, Zero Mile Bypass Road, Ward No. 36, P.s.-Sadar, District-Purnea
4. Santosh Ram @ Santosh Kumar @ Santosh Kumar Ram Son of Kailash Ram, Resident of Village- Gulabbagh, Zero Mile Bypass Road, Ward No. 36, P.s.-Sadar, District-Purnea
5. Manoj Ram Son of Kenda Ram @ Kant Lal Ram @ Kanda Ram Resident of Village-Gulabbagh, Zero Mile Bypass Road, Ward No. 36, P.s.-Sadar, District-Purnea.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sumit Kumar Bhagat, Adv.
For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE GIRIJISH KUMAR

ORAL ORDER

5 30-10-2026 Heard learned counsel for the petitioners and learned APP for the State as well as learned counsel appearing on behalf of the informant.

2. The petitioners seek regular bail in connection with Sadar P.S. Case No. 143 of 2026 registered for the offence under Sections 189 (2), 126 (2), 115 (2), 308 (3), 352, 351 (2), 103 (1)

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of B.N.S.

3. The prosecution case, in brief, is that on 03.03.2026, at about 07:30 p.m., the informant's younger brother, Md. Aaqib alias Md. Chhotu, was proceeding to offer Namaz when, on the way, Tony Ram, Ajay Ram alias Bhutta Ram, Manoj Ram, Sanjay Ram, Namo Ram, Dilip Ram and Santosh Ram, all residents of Gulabbagh Zeromile, Bypass Road, Ward No. 36, P.S. Sadar, District Purnea, intercepted him and started throwing colours at him. This led to a quarrel between them, whereafter all the F.I.R.-named accused persons submitted a written complaint against the informant's brother at Sadar Police Station. Subsequently, the informant convened a Panchayat, but the named accused persons refused to abide by its directions. Thereafter, they, along with their associates, namely, Sunita Devi, Sulekha Devi and Baleshwar Yadav, started harassing the informant's younger brother and demanded Rs. 50,000/- from the informant for settling the matter. However, instead of settling the matter for Rs. 50,000/-, the accused persons enhanced their demand to Rs. 3,00,000/- and started threatening to kill the informant's younger brother at any time. It is further alleged that on 12.03.2026, at about 02:30 p.m., while the informant's younger brother, Md. Aaqib alias

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Md. Chhotu, was alone at home, the accused persons, including the petitioners, taking advantage of the situation, entered the informant's house with the intention of killing him. After allegedly committing his murder, they hanged his body with a rope. When the informant returned home at about 03:30 p.m., he found his younger brother hanging. On making inquiries, his neighbour, namely, Sajan Khatoon, informed him that all the F.I.R.-named accused persons had fled from the house. The informant suspects that the accused persons, in furtherance of their conspiracy, murdered his younger brother and thereafter hanged his body to make it appear otherwise. It is further alleged that the accused persons had been constantly threatening to implicate the informant's younger brother in a case under the SC/ST Act and demanding Rs. 3,00,000/- from him.

4. Learned counsel for the petitioners submits that the petitioners are innocent, have committed no offence and have been falsely implicated in the present case. Learned counsel further submits that there is no specific accusation against the petitioners and they have been made accused merely on the basis of suspicion. He further submits that the charge-sheet has already been submitted before the learned court below on 30.06.2026. Learned counsel also submits that the petitioners

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are in custody since 13.05.2026 and have no criminal antecedent. Learned counsel further submits that the informant has lodged the present case on the basis of information received from one Sajan Khatoon. However, in her statement recorded in paragraph 11 of the case diary, Sajan Khatoon has stated that she saw four persons fleeing from the house, namely, Ajay Ram, Manoj Ram, Toni Ram and Sanjay Ram. She has not named Verma Ram, Dilip Ram and Santosh Ram, who are petitioner nos. 2, 3 and 4, respectively. Thus, it is evident from the statement of the said witness that petitioner nos. 2, 3 and 4 were not present at the place of occurrence. Learned counsel further submits that there is no criminal antecedents against all the petitioners. Learned counsel, therefore, submits that, in view of the absence of any specific allegation or material indicating their presence at the place of occurrence, the petitioners deserve the privilege of regular bail.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant have vehemently opposed the prayer for bail and submitted that the names of all the petitioners are mention in the F.I.R. and they are accused of being involved in a serious offence. He further submits that there was previous enmity between the parties. Learned A.P.P.

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further submits that this Court, vide order dated 08.10.2026 passed in Cr. Misc. No. 65369 of 2026, has already rejected the bail application of two co-accused persons, namely, Ajay Ram @ Bhutta Ram and Sanjay Ram, whose names were also disclosed by Sajan Khatoon, who appears to be an eyewitness to the occurrence.

6. Having heard the rival submissions, upon consideration of the facts and circumstances of the case and upon perusal of the case diary, it appears that the names of petitioner nos. 1 and 5, namely, Toni Ram and Manoj Ram, have been specifically disclosed by the witness, Sajan Khatoon, who said to be an eyewitness to the occurrence. It further appears that this Court, vide order dated 08.10.2026 passed in Cr. Misc. No. 65369 of 2026, has already rejected the bail applications of two co-accused persons, namely, Ajay Ram alias Bhutta Ram and Sanjay Ram, whose names were also disclosed by the said eye witness. In view of the aforesaid facts and the nature of the accusation, supported by the statement of the eye witness, this Court is not inclined to grant the privilege of regular bail to petitioner nos. 1 and 5, namely, Toni Ram @ Sonu Ram @ Sonu Kumar Ram @ Doni Ram and Manoj Ram, accordingly the prayer for regular bail of petitioner nos. 1 and 5, namely, Toni

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Ram @ Sonu Ram @ Sonu Kumar Ram @ Doni Ram and Manoj Ram, stands rejected.

7. However, so far as petitioner nos. 2, 3 and 4, namely, Verma Ram @ Dilip Ram @ Brahamdev Ram, Dilip Ram @ Dilip Kumar and Santosh Ram @ Santosh Kumar @ Santosh Kumar Ram, are concerned, their names do not find place in the statement of the aforesaid eyewitness as persons present at the place of occurrence. Considering the aforesaid fact and also the absence of any specific material indicating their presence at the place of occurrence as well as their period of custody, this court is inclined to grant them the privilege of regular bail.

8. Accordingly, let the petitioner nos. 2, 3 and 4, namely, Verma Ram @ Dilip Ram @ Brahamdev Ram, Dilip Ram @ Dilip Kumar and Santosh Ram @ Santosh Kumar @ Santosh Kumar Ram, are directed to be released on bail, on furnishing bail bonds of Rs. 10,000/- (Ten thousand), each with two sureties of the like amount each to the satisfaction of the learned court of Chief Judicial Magistrate, Purnea, in connection with Sadar P.S. case no. 143 of 2026, subject to the following conditions :-

(i) Petitioners shall co-operate in the trial and shall be

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properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(ii) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iii) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Girijish Kumar, J)

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