

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81141 of 2025

Arising Out of PS. Case No.-103 Year-2025 Thana- ARIYARI District- Sheikhpura

Vikash Ram @ Bikash Ram S/O Late Ramdeo Ram R/O Village- Kemra ,
P.S.-Ariyari, Dist.- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dr. Anjani Pd. Singh, Advocate
For the Informant	:	Mr. Bipin Kumar, Advocate
For the State	:	Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 31-01-2026 Heard Mr. Dr. Anjani Pd. Singh, learned counsel for the petitioner, Mr. Bipin Kumarh, learned counsel for the Informant and Ms. Pushpa Sinha, learned APP for the State.

2. Petitioner seeks bail, who is in custody since 03.08.2025, in connection with Ariary P.S. Case No. 103 of 2025, F.I.R. dated 30.07.2025 registered for the offences punishable under Sections 127(2), 103, 351(2), 61(2), 3(5) of the B.N.S, 2023 and Section 27 of the Arms Act.

3. The prosecution case, in brief, is that when the father of the informant was returning from the Civil Court, Sheikhpura, accused persons including the petitioner came with pistol and fired upon the informant's father and later on the father of the informant died.



4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. It appears from the F.I.R. that the F.I.R. is in two parts, in first part, there is general and omnibus allegation against the petitioner and other co-accused persons that they have fired upon the victim and in second part, there is specific allegation against co-accused Manoj Ram that he has fired upon the victim. Learned counsel for the petitioner further submits that the date of occurrence as alleged in the F.I.R. is 29.07.2025 and the F.I.R. was instituted on 30.07.2025 at about 10:30 A.M. and before lodging the F.I.R. the postmortem conducted upon the deceased on 29.07.2025 at 09.10 P.M. which suggests that before lodging of the present F.I.R. the postmortem was conducted and the petitioner after sending the postmortem report has filed the present F.I.R. against the petitioner and other co-accused persons only to falsely implicate them. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 03.08.2025.



5. Learned counsel for the Informant as well as learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the postmortem was conducted before lodging of the F.I.R. and there is no specific allegation against the petitioner in the F.I.R., let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.II, Sheikhpura in connection with Ariary P.S. Case No. 103 of 2025, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at



any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. 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.

(Rajesh Kumar Verma, J)

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