

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82590 of 2025

Arising Out of PS. Case No.-313 Year-2025 Thana- BHAGWANPUR HAT District- Siwan

Ram Kishore Singh S/o Late Bhageshwar Singh R/o Village- Kauria, Tole
Fate Ray, P.S.- Bhagwanpur Hat, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Mr. Kumar Shaswat Anand, Advocate
For the Opposite Party/s	:	Mr. Anil Prasad Singh, APP
For the Informant	:	Mr. Bindhyachal Singh, Sr. Advocate Mr. Aakash Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 28-01-2026 Heard Mr. Ajay Kumar Thakur, learned counsel for the petitioner, Mr. Bindhyachal Singh, learned senior counsel for the informant and Mr. Anil Prasad Singh, learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 01.08.2025 in connection with Bhagwanpur Hat P.S. Case No. 313 of 2025, F.I.R. dated 06.07.2025 for the offences punishable under Sections 190, 191, 192, 126(2), 127(2), 15(2), 118(2), 109, 103, 61(2) and 3(5) of the BNS, 2023.

3. According to prosecution case, this petitioner



along with other accused persons armed with deadly weapons have brutally assaulted the informant's brothers due to which three persons died.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. 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. He further submits that it appears from the F.I.R that the date of occurrence is 04.07.2025 but the present F.I.R has been instituted on 06.07.2025 i.e., after delay of 2 days without giving any explanation of the said delay. Apart from that, before lodging of the F.I.R, postmortem has been conducted on 04.07.2025 itself and the informant after knowing the postmortem report has lodged the present F.I.R against the petitioner and other accused persons afterthought only to falsely implicate them. He further submits that the statement of the injured person, namely, Vicky Kumar Singh has been recorded in paragraph no. 5 of the case diary in which he has categorically stated that the co-accused, Satrugan Singh has assaulted to one Munna Singh by means of *farsa* continuously due to which Munna Singh fell down. Thereafter, co-accused



Kedar Singh, Ram Kishore Singh (petitioner), Deepak Kumar, Kishan Kumar and Suraj Kumar also assaulted him and he died. He further submits that the person who was present at the place of occurrence has categorically stated that initially co-accused, Satrugan Singh has assaulted to the deceased Munna Singh and thereafter, the petitioner and other accused persons have assaulted him which suggest that there is no specific allegation against the petitioner. Apart from the aforesaid, the informant has also stated the same version in the F.I.R. He further submits that the petitioner is 40% physically handicapped with locomotory disability which suggest that he has not participated in the present crime in question. He further submits that the cause of death as indicated in the postmortem report is "shock and hemorrhage due to above mentioned injury caused by sharp cutting edged weapon" and the same was not caused by the petitioner. It also appears from the F.I.R that the allegation of assault against the other deceased persons, namely, Kanhaiya Singh and Rohit Kumar is attributed against the other accused persons and not against this petitioner. He further submits that the co-accused, namely, Abhimanyu Singh @ Abhimanyu Kumar Singh has been granted bail by a Co-ordinate Bench of this Court vide order



dated 18.11.2025 passed in Cr. Misc. No. 73121 of 2025 and another co-accused, namely, Raju Prasad has also been granted bail by a Co-ordinate Bench of this Court vide order dated 18.11.2025 passed in Cr. Misc. No. 75193 of 2025. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 01.08.2025.

5. Learned counsel for the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that it appears from the F.I.R that the co-accused person have brutally assaulted and killed altogether 3 persons and with the common intention they have committed crime in question. Apart from the aforesaid, the bail application of the co-accused, namely, Kalyan Kumar @ Kalyan Rawat has been rejected by a Co-ordinate Bench of this Court vide order dated 27.01.2026 passed in Cr. Misc. No. 82718 of 2025 and bail application of another co-accused, namely, Pawan Kumar @ Pawan Kumar Prasad has also been rejected by a Co-ordinate Bench of this Court vide order dated 02.12.2025 passed in Cr. Misc. No. 82975 of 2025.

6. Considering the aforesaid facts and circumstances



that the petitioner has clean antecedent, he is 40% disable person, there is no specific allegation of assault to the deceased Munna Singh against the petitioner, initially co-accused Satrugan Singh assaulted Munna Singh and thereafter the petitioner and other accused persons have also assaulted him and only one injury was found over the face of the deceased, Munna Singh, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Siwan in connection with Bhagwanpur Hat P.S. Case No. 313 of 2025, subject to the following conditions:-

i. 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.

ii. If the petitioner tampers with the evidence or the witnesses, 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 petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, 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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