

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84164 of 2025

Arising Out of PS. Case No.-294 Year-2025 Thana- KOCHADHAMAN District- Kishanganj

1. Som Hasda @ Ravi S/o Late Lakhiram @ Lakhiram Hasda R/o Village - Ghurna, Ward no. 14, P.S - Kochadhaman, District - Kishanganj Presently R/o Village - Babhan Gaon, P.S - Kochadhaman, District - Kishanganj
2. Nimai Hasda @ Tallu S/o Late Lakhiram @ Lakhiram Hasda R/o Village - Ghurna, Ward no. 14, P.S - Kochadhaman, District - Kishanganj Presently R/o Village - Babhan Gaon, P.S - Kochadhaman, District - Kishanganj

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr. Md. Matloob Rab, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-03-2026 Heard Mr. Ram Prawesh Kumar, learned counsel for the petitioners and Mr. Md. Matloob Rab, learned Additional Public Prosecutor for the State.

2. Petitioners seek bail who are in custody since 14.07.2025 in connection with Kochadhaman P.S. Case No. 294 of 2025, for the offences punishable under Sections 103(1) and 3(5) of BNS.

3. The case of the prosecution, in brief, is that the informant has given fardbeyan to the officer in charge Kochadhaman Police Station stating therein that informant namely Ghansyam Murmu S/O Tala Kuraon of village Motihara ward no. 11 P.S., District-Kishanganj gave his fardbeyan to the



S.H.O. Kochadhaman P.S. stating therein that his elder brother deceased Lakhan Murmu used to stay at village Patkoi Kala under Kochadhaman P.S. for last 7-8 years and used to earn his livelihood by doing menial work there. On 13.07.2025, he received an information that Som Hansda and Nimai Hansda, the petitioner in this bail application committed murder of his brother by committing assault on him, it has been further stated that these two brothers used to entangle with his deceased brother very often. Further it has been stated that he claims and has full believe that his brother died due to brutal assault.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and it appears from the FIR that the informant is not an eye-witness to the alleged occurrence in question and petitioners have been made an accused in this case on the basis of suspicion. It is also submitted that no cogent material has come during the course of investigation to suggest the involvement of petitioner in the present occurrence and police after investigation has submitted charge-sheet and the petitioner is in custody since 14.07.2025.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners

6. Considering the aforesaid facts and circumstances



and that petitioners have clean antecedent and also the fact that no cogent material has come during the course of investigation to suggest the involvement of petitioner in the present occurrence, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Kishanganj in connection with Kochadhaman P.S. Case No. 294 of 2025, subject to the following conditions:-

i. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners 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 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 bond 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.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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