

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71 of 2026

Arising Out of PS. Case No.-40 Year-2025 Thana- BARIYARPUR District- Munger

Bhim Singh @ Toiye @ Toyen S/O Late Gaivi Singh R/O Village -
Sitarampur, Naujira, Bhudhiya Kali Sthan, P.S- Bariyarpur, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Mr. Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-04-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 126(2), 115(2), 109, 103(1),
352, 351(3) and 3(5) of the BNS.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases but in one case he is
acquitted and is in custody since 24.03.2025. It is next
submitted that the informant alleges that his daughter-in-law
used to deposit an amount of Rs.2,250/- per month with the
society run by Radha Devi, further, his son for the month of July
2024 gave an amount of Rs.2,250/- to his sister for depositing it
with Radha Devi and thereafter went to Himachal Pradesh. It is
next alleged that thereafter the amount of Rs.2,250/- was



deposited with Radha Devi for the month of July by the daughter of the informant but the accused persons including the petitioner disputed that an amount of Rs.2,250/- for the month of July has been deposited, accordingly, an altercation took place. It is next alleged that when the son of the informant came back from Himachal Pradesh and on the said issue confronted the accused, when petitioner caught his son, while Rajeev assaulted him by an iron rod causing injury on his head and nose. It is next alleged that the injured was taken to the hospital and while the informant was returning with her daughter when she was intercepted by the accused persons and Radha Devi dashed her daughter on the ground while petitioner and Bikram pounced on her chest and abdomen and pressed, on account of which blood came in her mouth and she died.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant alleges that the accused persons intercepted him and his daughter and Radha dashed her on the ground and on her order, petitioner and Bikram trampled her chest and abdomen on account of which, blood came in the mouth and she died. It is



submitted that Radha Devi along with Budhan Kumar @ Budhdev Kumar had approached this court seeking anticipatory bail by filing Cr. Misc. No. 51988 of 2025 and the same was allowed by an order dated 01.09.2025, considering the fact that the postmortem report does not record any external injury and viscera has been preserved but then it is not the case of the informant that her daughter was poisoned to death. It is also submitted that if privilege of regular bail is granted, the petitioner will not abscond rather will cooperate in the trial to prove his innocence.

5. Learned APP for the State opposes the regular bail application of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioners above-named, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Bariyarpur P.S. Case No. 40 of 2025.

7. However, it is made clear that if the learned trial court comes to a conclusion that petitioner after his release is trying to delay the framing of charge or after framing of charge



is trying to delay the trial, in both the conditions, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner after recording reason.

(Satyavrat Verma, J)

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