

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5327 of 2025

Arising Out of PS. Case No.-196 Year-2024 Thana- TARARI District- Bhojpur

Prakash Sharma S/o Shankh Sharma @ Pradip Sharma Resident of Village-
Badagaon, P.S.- Tarari, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 14562 of 2025

Arising Out of PS. Case No.-196 Year-2024 Thana- TARARI District- Bhojpur

Abhishek Sharma Son of Ajay Sharma Village- Baraka Gaw (Barka Gaon),
P.S.- Tarari, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 5327 of 2025)

For the Petitioner/s : Mr. Y. C. Verma, Sr. Advocate
Mr. Shantam Shivam, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

(In CRIMINAL MISCELLANEOUS No. 14562 of 2025)

For the Petitioner/s : Mr. Y. C. Verma, Sr. Advocate
Mr. Diwakar, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA

ORAL ORDER

3 30-04-2025 Heard learned counsel for the petitioners, learned
APP for the State and perused the case diary.

2. The petitioners seek bail in connection with Tarari
P.S. Case No. 196 of 2024, instituted for the offences punishable



under Sections 103 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that, the petitioners along with other co-accused persons tied up hands and legs of informant's son with rope and assaulted him. The informant pleaded them to stop assaulting him but they did not listen to him and in the meantime he informed the police and admitted his son to the hospital, where the victim succumbed to his injuries during treatment.

4. In Cr. Misc. No. 5327 of 2025, learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is a Jawan in Bihar Military Police. The victim was a drunkard and he was a known thief in the village. The victim was seen committing theft from the shop of petitioner's father and the villagers caught him and assaulted him.

5. In Cr. Misc. No. 14562 of 2025, learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the possession of the



petitioner. Learned counsel for the petitioner also submits that the petitioner and informant are co-villagers. The petitioner has got no concern with the alleged occurrence. Learned counsel for the petitioner further submits that there is no any independent eye-witness to the alleged occurrence.

6. Learned counsel for the petitioners submits that Charge-sheet has been submitted in this case. The allegations levelled against the petitioners are general and omnibus in nature and no specific allegation has been attributed against them. The petitioners are in custody since 01.11.2024 and have got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail *after framing of charge, if not already framed* on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Tarari P.S. Case No.



196 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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