

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6782 of 2025

Arising Out of PS. Case No.-261 Year-2024 Thana- JAMOBABAZAR District- Siwan

Nagendra Sharma @ Nagendra Kumar Sharma S/o- Mahavir Sharma Village-
Jamobazar Ps- Jamobazar Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Prasad, Advocate
Mr. Mithilesh Kumar Upadhyay, Advocate
For the Opposite Party/s : Mr. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-05-2025 Heard Mr. Raju Prasad, learned counsel for the

petitioner and Mr. Pronoti Singh, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Jamo Bajar P.S. Case No. 261 of 2024, F.I.R.
dated 05.08.2024 for the offences punishable under Sections
126(2), 115(2), 118, 109, 352, 351(2) and 3(5) of the Bharatiya
Nyay Sanhita, 2023.

3. According to prosecution case, the petitioner
attacked the informant while he was working in the field with
sharp weapon causing injury to the informant.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case due to admitted land dispute

between the parties. He further submits that although there is specific allegation against this petitioner that he has assaulted the informant and the informant received the injury but the injury report does not reflect that whether the injury is greivous or simple and apart from that the co-accused persons, namely, Mahavir Sharma, Rajkishore Sharma and Vicky Sharma have been granted the privilege of anticipatory bail by the learned Court below itself.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, the petitioner has clean antecedent, due to land admitted land dispute the present occurrence has been taken place, other co-accused persons have granted bail by the learned Court below and the injury report does not suggest that whether the injury is grievous or simple in nature, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 Chief Judicial Magistrate, Siwan in connection with Jamo Bajar P.S. Case No. 261 of 2024, subject to the conditions

as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023 and with other 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)

Jyoti Kumari/-

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