

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20104 of 2025

Arising Out of PS. Case No.-496 Year-2024 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

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Shankar Sharma Son of Brahmdeo Sharma village- Paharpur Ps- Simri
Bakhtiyarpur, Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate
For the Opposite Party/s : Mrs. Gulnar Begum, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 09-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Simri
Bakhtiyarpur P.S. Case No. 496 of 2024 instituted for the
offences under Sections 126(2), 115, 118(1), 109, 352, 3(5) of
the BNS.

3. Prosecution case, in short, is that, petitioner along
with other accused persons allegedly kidnapped the informant's
son, administered toxic substance, and brutally assaulted him
with weapons, causing serious injuries. Later on, the informant's
son succumbed to injuries.

4. Learned counsel for the petitioner submitted that the
petitioner is innocent and has falsely been implicated in the



present case due to ulterior motive. Learned counsel for the petitioner submits that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. The specific allegation is against Ramphal Choudhary. Learned counsel further submitted that, as a matter of fact, the deceased met with an accident and as a result of which he sustained injuries and later on died during treatment. It has been submitted on behalf of the petitioner that the petitioner is in custody since 07.11.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that this petitioner along with other co-accused persons brutally assaulted the son of the informant due to which he sustained serious injuries and later on, he died. Learned APP further submitted that post-mortem report also supports the allegation as levelled in the FIR.

6. Considering the aforesaid facts and circumstances of the case as also nature and gravity of offence, this Court is not inclined to grant bail to the petitioner at this stage.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

8. Learned Trial Court is directed to expedite the trial.



9. However, liberty is granted to the petitioner to renew the prayer for grant of bail before the Trial Court if the trial is not concluded within a period of six months from today.

(Rudra Prakash Mishra, J)

Alok Verma/-

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