

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25459 of 2025

Arising Out of PS. Case No.-595 Year-2024 Thana- KHAGARIA District- Khagaria

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1. Roshan Sharma S/O Late Radhe Sharma R/O Village- Bhadas Uttri, P.S.- Gangor, District- Khagaria, State Bihar PIN 861204
 2. Rakesh Sharma S/O Late Radhe Sharma R/O Village- Bhadas Uttri, P.S.- Gangor, District- Khagaria, State Bihar PIN 861204

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Jha, Advocate

For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 02-09-2025 Heard learned counsel for the petitioners and the State.

2. The petitioners are apprehending arrest in connection with Khagaria P.S. Case No. 595 of 2024 instituted under Sections 126(2), 115(2), 109, 352, 351(2), 3(5) of the Bhartiya Nayay Sanhita, 2023 lodged on 27.12.2024 by the informant, Devendra Sharma.

3. As per the prosecution story, the informant alleged that the accused persons came, armed variously and after abuse, assaulted brutally. Further allegation against Raushan is of opening fire. This led to the FIR.

4. As the events unfolded, the learned Sessions Judge



order shows that the informant’s brother Basudeo Sharma succumbed to the injuries. As such, the murder section has also been incorporated in the present case.

5. Learned counsel for the petitioners submit that there is case and counter case, both parties suffered injuries, one of the petitioner is still in hospital.

5. On the other hand, learned APP Mr. Bharat Bhushan opposes the prayer submitting that the brutal assault took the life of brother of the informant and as such mere lodging of the counter case is no ground for extension of anticipatory bail.

6. Considering the submissions of the parties as also the materials on record, this Court has to go by the submissions put forward by the learned APP, the anticipatory bail application stands rejected.

(Rajiv Roy, J)

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