

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25334 of 2025**

Arising Out of PS. Case No.-286 Year-2024 Thana- LALIT NARAYAN UNIVERSITY  
District- Darbhanga

Sumit Kumar, S/o Shankar Sharma, Resident of Mohalla-Balu Ghat, Ward  
No. 6, P.S.- University, District- Darbhanga

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

|                          |   |                              |
|--------------------------|---|------------------------------|
| For the Petitioner/s     | : | Mr. Shaishav Kumar, Advocate |
| For the Opposite Party/s | : | Mr. Ashok Kumar Singh, APP   |
| For the Informant        | : | Mr. Kumar Rajiv, Advocate    |

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

3      29-07-2025                      Heard learned counsel for the petitioner  
and learned Additional Public Prosecutor for the  
State duly assisted by learned counsel appearing  
for the informant.

2.The   accused/petitioner seeks bail in  
connection with University (LNMU) P.S. Case  
No.286 of 2024 registered for the offences  
punishable under Sections 126(2), 115(2), 109, 74,  
352, 351(2) and 3(5) of the Bhartiya Nyaya  
Sanhita, 2023 (for short 'B.N.S.').

3.The accused/petitioner is named in the  
FIR and is in custody since 13.10.2024.

4. Allegation against the petitioner is to  
commit murder of son of the informant along with



other co-accused persons after entering the house of the informant. The alleged assault was made by iron pipe.

5. It is submitted by learned counsel appearing for petitioner that the occurrence was free fight in nature, where both parties have received injuries and, therefore, it can be said safely that petitioner was not under intention to cause death of the son of the informant. It is submitted that for the same occurrence, the petitioner's side also lodged a case against the informant and others, which was registered as LNMU P.S. Case No.291 of 2024. Travelling further, it is submitted that one of the co-accused namely, Twinkle Kumari has already granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No.31594 of 2025 dated 23.07.2025. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence and moreover, the



petitioner found involved in one more criminal case, where he is on bail.

6. Learned APP duly assisted by Mr. Kumar Rajeev, learned counsel appearing for the informant while opposing the prayer for bail submitted that the allegation as to cause fatal assault on the head of son of the informant is specifically available against petitioner, during the occurrence after criminal trespass in the house of the informant. It is submitted that petitioner cannot claim parity for the reason that the nature of allegation as available against co-accused, who granted bail by this Court, as submitted above, is completely different to that of allegation as available against this petitioner. It is also pointed out that postmortem report also appears corroborating, where the assault as alleged to be caused by petitioner proved fatal.

7. In view of aforesaid factual submissions and by taking note of fact as allegation as to cause fatal blow on the head of the son of the informant is available against this petitioner, where alleged



occurrence took place after criminal trespass, to the house of the informant, accordingly, the prayer of bail of petitioner is rejected herewith for the present.

8. However, as petitioner is in custody since 13.10.2024, learned trial court is directed to conclude the trial expeditiously, preferably within nine months in accordance with law.

**(Chandra Shekhar Jha, J.)**

Sanjeet/-

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