

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32131 of 2025

Arising out of PS. Case No.-259 Year-2023 Thana- VIJAYEPUR District- Gopalganj

Sanjay Sharma @ Sanjay Kumar Vishwakarma S/o- Parmanand Sharma @
Parma Sharma Village- Vilarua PS- Vijaipur District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate

For the Opposite Party/s: Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 22-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

2. The petitioner seeks bail in connection with Vi-
jaipur (Vijaypur) P.S. Case No. 259 of 2023 instituted for the of-
fences under Sections 341, 323, 307, 337, 338, 504/34 IPC and
later on Section 302 IPC was added. He has no criminal an-
tecedent.

3. As per the prosecution case the informant has stated
that nine named accused persons including the petitioner sur-
rounded the informant and others. As a result of assault caused
by co-accused one Krishna Sharma and the petitioner, the infor-
mant brother sustained serious injuries and the rest of the ac-
cused persons were accused of assaulting the others persons and
subsequently during the course of treatment the brother of the



informant, succumbed to his injuries.

4. It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case and there is a general and omnibus allegation of causing injury to the brother of the informant against the petitioner as well as the other co-accused, Krishna Sharma. Learned counsel has further pointed out that similarly situated co-accused Krishna Sharma has already been granted bail *vide* order dated 20.12.2024 passed in Cr. Misc No. 87019 of 2024. It has been submitted that there is a land dispute between the parties and both are agnates and only to settle the dispute this false case has been lodged against the petitioner. It is lastly submitted that the petitioner has no criminal antecedent and is in custody since 21.01.2025.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and has submitted that earlier the petitioner approached this Court for grant of anticipatory bail, however, the same was rejected *vide* order dated 09.08.2024 passed in Cr. Misc. No. 56024 of 2024, thereafter, the petitioner was taken in custody on 21.01.2025 and there is serious allegation upon the petitioner to have assaulted the brother of the informant who later died dur-



ing the course of treatment.

6. Considering the aforesaid submissions of learned counsel for the respective parties and taking into account the fact that there is specific allegation against the petitioner to have caused head injury to the brother of the informant who later died during the course of treatment, I am not inclined to grant bail to the petitioner for the present. The prayer for bail is rejected. Accordingly, the present bail application is dismissed.

7. However, the petitioner is at liberty to renew his prayer for bail after six months or on framing of charge, whichever is later.

(Sourendra Pandey, J)

Vikash/-

U		T	
---	--	---	--

