

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30105 of 2025

Arising Out of PS. Case No.-393 Year-2024 Thana- TARAIYA District- Saran

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Vishal Kumar @ Vishal Kumar Sharma Son of Gauri Thakur @ Gauri Shankar Sharma Village- Madhopur Bara, P.O- Madhopur, P.S- Taraiya, Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Adv.

For the Opposite Party/s : Mr. Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 13-08-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Taraiya P.S. Case No.393 of 2024 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 303(2), 109, 352, 351(2), 351(3) read with 3(5) of the BNS, 2023.

3. In the fateful night of 13.10.2024 around 01:00 A.M., on account of some altercation between the petitioner and co-accused Rohan Kumar Sharma with the son of the informant, both the petitioner and Rohan Kumar Sharma, inflicted repeated knife blow on the back and chest of her son due to which he sustained multiple injuries. It is further alleged that the mother



of the petitioner also made exhortation to kill the son of the informant by holding his leg and co-accused Anjali Kumar also assaulted him. All the accused persons lastly threw the son of the informant in a ditch and fled away.

4. Learned Advocate for the petitioner contended that the alleged occurrence took place in the night at 01:00 AM and, in fact, the informant is not an eyewitness to the alleged occurrence, but on account of some previous enmity, the name of the petitioner along with others have been implicated in this case.

5. Taking this Court through the provisional as well the final injury report, the copy of which have been placed on record as Annexure-2 series to the bail application, the learned Advocate for the petitioner further submitted that the doctor has found three injuries over the body of the son of the informant; however, all of them have been found to be simple in nature. The doctor specifically opined that the injuries might have been caused by sharp weapon. Both the parties are neighbour and the petitioner is a man of fair antecedent and he undertakes that he would not indulge in such kind of activity in future.

6. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that causing repeated blow to the son of the informant clearly shows the intention of the petitioner to kill him.



7. Regard being had to the submissions made on behalf of the parties and taking note of the genesis of occurrence and the fair antecedent of the petitioner as also the simple nature of injury, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Saran at Chapra in connection with Taraiya P.S. Case No.393 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS, with further following conditions

(i) One of the bailors shall be the own/close family members of the petitioner.

(ii) If the petitioner is found indulged in threatening or intimidating the informant and her son, the informant shall be at liberty to file appropriate application for cancellation of his bail bond(s).

(Harish Kumar, J)

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