

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43378 of 2025

Arising Out of PS. Case No.-398 Year-2024 Thana- SAUR BAZAR District- Saharsa

Dilip Sharma S/o Lalkun Sharma R/o Village- Dhamsaina, Ward No.1, P.S.-
Saur Bazar, District- Saharsa (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashish Kumar Sinha

For the Opposite Party/s : Mr. Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 03-09-2025 Heard the learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks regular bail in connection with Saur Bazar P.S. Case No. 398 of 2024 registered for the offence under Sections 126(2), 115, 118(1), 109, 74, 303(2), 352, 351, 3(5) of the Bharatiya Nyaya Sanhita, 2023 and later on Section 103(1) was added.

3. As per the prosecution case, the petitioner is alleged to have assaulted the victim with a bamboo stick (fatta) and after 13 days of occurrence, the deceased died.

4. Learned counsel for the petitioner submits that the petitioner and other co-accused has falsely been implicated in this case due to a land dispute as the informant is the wife of the petitioner's own cousin brother and they are agnates. The



petitioner is in custody since 24.09.2024. He further submits that the deceased died during the treatment after 13 days of the occurrence.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail.

6. Considering the period of the custody and the fact that in a free fight all of a sudden the petitioner hit the deceased and the deceased died after 13 days of the occurrence during the treatment, this application for regular bail is allowed.

7. Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned concerned Court below, Saharsa in connection with Saur Bazar P.S. Case No. 398 of 2024.

(Sandeep Kumar, J)

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