

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58343 of 2025

Arising Out of PS. Case No.-18 Year-2025 Thana- SHANKARPUR District- Madhepura

1. Chhotu Sharma @ Bhaiya Lal Sharma S/O Late Surendra Sharma R/O Village- Kaushal Patti, Ward no.03, P.S- Pipara, Distt.- Supaul.
2. Sanjiv Sharma @ Tiruwa S/O Late Ram Chandra Sharma R/O Village- Lakhminiya, Ward No. 14, P.S- Singheshwar, Dist.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Binita Kumari, Adv.

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 23-09-2025 At the very outset, learned counsel for the petitioners submits that he would not press the instant bail petition against the petitioner no.2 and seeks permission to withdraw this bail petition as against the petitioner no.2.

2. Permission is accorded.

3. Dismissed as withdrawn as against the petitioner no.2.

4. In view of the above, this order is confined only to the petitioner no.1.

5. Heard Mr. Dhananjai Kumar Singh, learned counsel for the petitioner and learned APP for the State.



Perused the case diary.

6. The petitioner no.1 seeks bail in connection with Shankar Pur P.S. Case No. 18 of 2025 instituted for the offences under Sections 64, 75, 76, 3(5), 103(1), 238 of the Bharatiya Nyaya Sanhita, 2023 and Section 67 of the Information of Technology Act, 2005.

7. Prosecution case, in short, is that the accused persons including the petitioner committed rape and murder of the victim girl.

8. Learned counsel for the petitioner no.1 submitted that the petitioner no.1 has falsely been implicated in the present case. The petitioner no.1 is not named in the F.I.R. and has falsely been implicated in this case merely on the basis of the confessional statement of the co-accused Prabhu Sah recorded before the police which has got no evidentiary value in the eye of law. The petitioner no.1 was only the member of the mob and is a labourer. Learned counsel for the petitioner has further submitted that general and omnibus allegation has been made against the petitioner no.1. The petitioner no.1 is in custody since 11.03.2025 and has no



criminal antecedent. Learned counsel for the petitioner again submits that the co-accused namely Anil Kumar Sharma has been granted bail by a Co-ordinate Bench of this Court vide order dated 10.09.2025 passed in Cr. Misc. No. 42485 of 2025. Charge-sheet has been submitted in this case.

9. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. He further submits that the petitioner has confessed his guilt of making video in the confessional statement and, therefore, the petitioner does not deserve to be released on bail. The postmortem report supports the prosecution case. Learned counsel for the State further submits that the petitioner is facing serious and heinous charges of raping a minor, making the video viral as also committing her murder. Learned counsel for the State again submits that the prayer for bail of the co-accused namely Anul Huda has already been rejected by this Court vide order dated 20.08.2025 passed in Cr. Misc. No. 37981 of 2025.

10. Considering the aforesaid facts and



circumstances of the case as also nature and gravity of offence as alleged against the petitioner no.1, this Court is not inclined to grant bail to the petitioner.

11. Accordingly, the prayer for grant of bail to the petitioner no.1 is, hereby, rejected.

(Rudra Prakash Mishra, J)

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