

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62934 of 2025

Arising Out of PS. Case No.-361 Year-2024 Thana- DALSINGHSARAI District- Samastipur

Sharwan Kumar @ Sarven Kumar Son of Ashok Das Village -Ballochak,
Pagra PS-Dalsinghsarai Distt -Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Kumar , Advocate

For the Opposite Party/s : Mr. Rajesh Kumar , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 04-11-2025 Heard learned counsel for the petitioner and the
State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 109, 117(2), 3(5) of the Bharatiya Nyaya Sanhita. Section 103(1) BNS was added later on.

3. As per the prosecution case , informant alleged that his mother and brother were brutally assaulted by the F.I.R. named accused persons with iron rods and sharp-edged weapons. Co-accused Ashok Das and Raju Kumar gave iron rod blow on the head of brother of informant as a result of which he sustained injury and died during course of treatment.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. Allegation



against petitioner is general and omnibus and there is no specific allegation of overt act against him. Petitioner has falsely been implicated in this case due to admitted land dispute for which Title Suit No. 151 of 2019 is already pending between the parties. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering backdrop of the case, nature of accusation and clean antecedent, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate I, Dalsinghsarai, Samastipur in connection with Dalsinghsarai P. S. Case No. 361 of 2024, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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