

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64290 of 2025

Arising Out of PS. Case No.-227 Year-2025 Thana- BACHHWARA District- Begusarai

1. Shivji Sharma Son of Late Ramprit Sharma Resident of Village -Rudauli, PS -Bachhwara, District -Begusarai
2. Arbind Sharma son of Late Ramprit Sharma Resident of Village -Rudauli, PS -Bachhwara, District -Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Subodh Kumar Jha, Advocate Mr. Pranav Kumar Jha, Advocate Mr. Chandra Mohan Jha, Advocate
For the Opposite Party/s	:	Mr. Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 10-09-2025 Heard Mr. Subodh Kumar Jha, learned counsel for the Petitioners and Mr. Binod Kumar No.3, learned APP for the State.

2. Petitioners seek regular bail in connection with Bachhwara P.S. Case No. 227 of 2025 dated 28.06.2025 registered for the offences punishable under Sections 126(2), 115(2), 109, 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita.

3. The main submissions advanced by the petitioners' counsel are that both petitioners bear no criminal antecedent and have been languishing in jail since 29.06.2025 and against them, the investigation has been completed, the informant's brother



and his son are said to have sustained grievous injuries, however, the informant's brother sustained injury to non-vital part of his body while his son sustained grievous injury to his head but there is no allegation of repeated blows by the accused persons in assaulting the said victims, in fact, petitioner no. 1, Shivjee Sharma, was some mentally disturbed at the time of the alleged occurrence which has also been accepted by the informant himself, subsequently, the informant compromised with the petitioners and filed a compromise petition, Annexure-P/3, before the SHO of the concerned police station. It is further submitted that there was no enmity between the petitioners and the prosecution party at the time of the alleged occurrence, which has been accepted by the injured, Amit Kumar, son of the informant, in his statement before the investigating officer, therefore, there was no premeditated motive on the part of the petitioners to assault the victims.

4. Learned APP appearing for the State has opposed the prayer for bail of the petitioners.

5. Heard both sides and perused the FIR and the trial court's order. Though there is a serious allegation against the petitioners, however, considering their fair and clean antecedents, the completion of investigation against them and



mainly the aspect that the prosecution has not been able to assign any motive to the petitioners for assaulting the victims, and also taking into account petitioners’ the plea that petitioner no. 1 was mentally disturbed at the time of the alleged occurrence, in my opinion, a lenient approach can be taken with respect to the petitioners’ prayer for bail. Accordingly, let the petitioners named-above be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Bachhwara P.S. Case No. 227 of 2025.

(Shailendra Singh, J)

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