

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65412 of 2025

Arising Out of PS. Case No.-42 Year-2025 Thana- TELHARA District- Nalanda

1. Brajesh Kumar S/o- Jaishankar Sharma R/o- Libari Ps- Telhara Dist- Nalanda
2. Jaishankar Sharma S/o- Ranjeet Singh R/o- Libari Ps- Telhara Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Advocate
For the Opposite Party/s	:	Mr. Anil Kumar, APP
For the Informant	:	Mr. Jharkhandi Upadhyay, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 15-09-2025 Heard learned senior counsel for the petitioners,

learned APP for the State and learned counsel for the informant.

2. The petitioners seek bail in Telhara P.S. Case No. 42 of 2025, instituted for the offences punishable under Sections 191(2), 190, 126(2), 127(2), 115(2), 118(1), 117(2), 109(1), 303(2), 352, 351(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. The prosecution case, in short, is that the petitioners along with other co-accused persons have assaulted the informant by means of *lathi*, *danda*, *pasauli* and iron-rod due to which he sustained several injuries.



4. Learned senior counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioners. Learned counsel for the petitioners also submits that the allegation levelled against the petitioners are general and omnibus in nature. It is further submitted that there is case and counter case between the parties. The petitioners are in custody since 30.07.2025. Petitioner no. 1 has got four criminal antecedents in which he is on bail and petitioner no. 2 has got three criminal antecedents in which he is on bail.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail *after framing of charge, if not already framed* on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two



sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Telhara P.S. Case No. 42 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

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