

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81263 of 2025

Arising Out of PS. Case No.-459 Year-2019 Thana- TEKARI District- Gaya

Jairam Sharma @ Kara S/o Upendra Sharma R/o Village - Khaira, P.S -
Tekari, District - Gaya, State - Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Anand, Advocate

For the Opposite Party/s : Mrs.Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 03-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Tekari P.S. Case No. 459 of 2019 registered for the alleged offences under Sections 342, 323, 307, 504, 506/34 of the Indian Penal Code.

3. As per prosecution case, during PACS election, while the informant had gone to cast his vote, co-accused outgoing PACS Chairman and other co-accused persons along with this petitioner pulled out the informant and co-accused persons caught hold of his hand and this petitioner gave a blow of iron rod on his head. Other co-accused persons also assaulted the informant.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. Though there is allegation against the petitioner of giving a blow of iron rod on the head of the informant, injury report shows the informant sustained lacerated wound on right parietal region of scalp and right parietal bone of skull was fractured as it has been mentioned in the rejection order of learned Additional Sessions Judge-XI, Gaya Ji. The petitioner has no involvement in the said occurrence and he was apprehended from his house and did not abscond. This shows his innocence. Charge sheet has been submitted in this case after six years from the date of occurrence and it shows the lack of diligence and seriousness and also procedural indiscipline on part of the investigating agency. The petitioner is having antecedent of one case and he is on bail in the said case. The petitioner is in custody since 10.09.2025. Learned counsel further submits that the parties have come to a compromise and a compromise petition has been filed before the learned trial court. The informant/victim has voluntarily declared that he does not wish to pursue his case any further. The dispute was a result of misunderstanding which has now been settled.

5. Learned APP opposes the submission made on behalf of the petitioner.



6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Gaya/concerned Court in connection with Tekari P.S. Case No. 459 of 2019, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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