

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4029 of 2026

Arising Out of PS. Case No.-50 Year-2025 Thana- BABURA District- Bhojpur

1. Ashok Sharma Son of Late Krishna Mistri Resident of village - Rajapur Pachrukhiya, Police Station - Babura, District - Bhojpur.
2. Randhir Kumar Sharma @ Randhir Sharma @ Randhir Kumar Son of Ashok Sharma Resident of village - Rajapur Pachrukhiya, Police Station - Babura, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-02-2026 Heard Mr. Anil Kumar Singh, learned counsel for the petitioners and Mr. Yogendra Kumar, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Babura P.S. Case No. 50 of 2025, F.I.R. dated 16.08.2025 for the offences punishable under Sections 126(2), 115(2), 110, 351, 352(2) and 3(5) of the BNS, 2023.

3. According to prosecution case, all the accused persons including these petitioners have assaulted to the informant and his son due to which they received injuries.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been



implicated in the present case. He further submits that the allegation as alleged in the F.I.R is false and fabricated and the petitioners have not committed any offence as alleged in the F.I.R. It appears from the F.I.R that due to some petty dispute the present occurrence has taken place and both the sides have received injuries. Although there is specific allegation of assault attributed against the petitioners that they have assaulted to the informant by means of iron rod due to which he received injury but the injury report of the injured person suggest that the injury is simple in nature.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances that the petitioners have clean antecedent and the injury received by the injured person is simple in nature, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bhojpur at Ara in connection with Babura P.S. Case No. 50 of 2025, subject to the conditions as laid down under Section



438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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