

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3843 of 2026

Arising Out of PS. Case No.-326 Year-2025 Thana- SHEKHPURA District- Sheikhpura

Sunil Sharma @ Sunil Kumar Son of Miththu Sharma @ Miththu Mistri
Resident of Village- Mahadevnagar, Ajalatpur, P.S.- Sheikhpura, District-
Sheikhpura

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX W/O YYY R/V - Mohalla - Mahadev Nagar, Ward no. 13, P.S. and
Dist. - Sheikhpura

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bipin Kumar, Advocate Ms. Sarita Kumari, Advocate Mr. Abhishek Kumar, Advocate
For the Opposite Party/s :		Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

4 09-04-2026 Despite service of notice upon O.P. No. 2 and giving
sufficient opportunity, no one is present on her behalf.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. The petitioner apprehends his arrest in connection
with Sheikhpura P.S. Case No. 326 of 2025, instituted under
Sections 115(2), 126(2), 75, 76, 351(2), 352, 3(5) of the B.N.S.
and Section 8 of POCSO Act.

4. As per the prosecution case, on the date of
occurrence one Sachin Kumar came at the house of informant
and started abusing and asked about her daughter. On seeing the



daughter of informant, he grabbed her hand and started dragging her out and said that he will take her away. After gathering of people, he released the daughter of informant. It is alleged that Sachin Kumar threatened to come at evening with group of people. In the evening, he came with F.I.R. named accused persons and four unknown persons having armed in their hands and started assaulting the informant. They entered into the house of informant and dragged her daughter out by her scarf, tearing her clothes. In the meanwhile, a family member secretly dialled 112. Upon hearing the commotion, neighbours came and then the accused persons fled away.

5. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case being uncle of co-accused Sachin Kumar. There is delay of 15 days in registering the F.I.R. without any plausible explanation. The specific allegation is against co-accused Sachin Kumar who is in judicial custody. There is no specific allegation against the petitioner. Petitioner has no criminal antecedent. Petitioner undertakes to co-operate in the investigation and trial.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail.



7. Considering the facts and circumstances of the case, submission of learned counsel for the parties and there is no specific allegation against the petitioner and fair antecedent, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, POCSO, Sheikhpura in connection with Sheikhpura P.S. Case No. 326 of 2025, subject to the conditions laid down in Section 482 (2) of the Bharatiya Nagrik Suraksha Sanhita (B.N.S.S.), 2023.

(Sunil Dutta Mishra, J)

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