

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6245 of 2026

Arising Out of PS. Case No.-136 Year-2025 Thana- MAIRWAN District- Siwan

Harendra Sharma Son of Rajdev Sharma R/o Thepaha Raja Ram, P.S.-Jiradei,
District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Satyendra Rai, Advocate
For the State	:	Ms. Renuka Ratnakar, APP
For the Informant	:	Mr. Dhananjay Kumar Shahni, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-02-2026 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of
the informant.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 103(1), 61 and 3(5) of the
B.N.S. and Section 27 of the Arms Act.

3. As per prosecution case, all 10 F.I.R. named
accused persons, including this petitioner, along with 2 to 3
unknown persons, took away son of informant from his house
and indiscriminately fired on him as a result of which, son of
informant died.

4. It is submitted by learned counsel for the petitioner
that petitioner is quite innocent and has committed no offence.



As per F.I.R., all 10 named accused persons, along with 2 to 3 unknown persons, indiscriminately fired upon son of informant, however, as per *post mortem* report, only one fire arm injury was found on the body of the deceased, which itself falsifies the entire prosecution case. Allegation of firing is general and omnibus and no specific accusation of overt act has been alleged against this petitioner. It is further submitted that co-accused Vishal Sharma, having similar and identical allegations, has already been granted bail by this Hon'ble Court vide order dated 08.12.2025 passed in *Cr. Misc. No. 79042 of 2025*. Moreover, charge-sheet has already been submitted and petitioner, having no criminal antecedents, is in custody since 15.11.2025.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant have vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, materials that have surfaced during investigation, claim based on parity, clean antecedents of the petitioner and period of custody, the prayer for grant bail of to the petitioner is allowed.

7. Accordingly, let the above named petitioner 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 learned A.C.J.M.-V, Siwan in connection with Mairwa P.S. Case No. 136 of 2025.

(Prabhat Kumar Singh, J)

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