

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8395 of 2026

Arising Out of PS. Case No.-446 Year-2025 Thana- BIBHUTIPUR District- Samastipur

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Dinesh Sharma S/O Sita Sharma R/o - Chaura Ramchandrapur Ward No 5,
P.s. - Bibhutipur, Samastipur, Bihar 848101

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Piyush Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 17-02-2026 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Bibhutipur P.S. Case No. 446 of 2025 registered for the offence(s) under Section(s) 126(2), 115(2), 329(4), 109(1), 76, 303(2), 324(4), 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (B.N.S.).

3. As per the prosecution case, the petitioner is said to have attacked the informant and others armed with a pistol. It



has specifically been alleged that the petitioner had hit the grand-daughter of the informant with the butt of the pistol. The further allegations against the petitioners are of snatching gold ornaments and other valuable items.

4. The learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case along with eleven other accused persons. It has been submitted that no such incident as alleged has occurred and on account of long pending land dispute between the parties, the present case has been lodged with an intention to implicate the entire family of the petitioner. It has further been submitted that there is general and omnibus allegation of assault and as far as the assault upon the grand-daughter of the informant is concerned, the same was found to be simple in nature, as would be evident from the perusal of the impugned order itself. It has next been submitted that, admittedly, the date of occurrence is said to be 17.07.2025 while the F.I.R. was lodged on 12.11.2025, *i.e.*, after a delay of 119 days. It has lastly been submitted that the petitioner has clean antecedent.

5. The learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.



6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner, above-named, be released on anticipatory bail, in the event of his arrest or surrender before the concerned Court/successor Court within a period of four weeks from today, on his furnishing bail bond in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court/successor Court where the case is pending in connection with Bibhutipur P.S. Case No. 446 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 read with corresponding Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.S.) as well as subject to the following conditions :

(i) One of the bailors of the petitioner shall be his close relative and the other shall be a local resident.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the concerned Court.

(iv) The concerned Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that he has concealed his criminal antecedent, the Court concerned shall take necessary steps for cancellation



of his bail bond. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

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