

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12835 of 2026

Arising Out of PS. Case No.-259 Year-2023 Thana- VIJAYEPUR District- Gopalganj

Sanjay Sharma @ Sanjay Kumar Vishwakarma Son of Parmanand Sharma @
Parma Sharma @ Parmanand Vishwakarma Resident of Village- Vilarua
(Vilaura), P.s.- Vijaipur (Vijaypur), District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

For the Opposite Party/s : Mr. Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 25-02-2026 This is the second attempt of the petitioner for grant
of regular bail.

2. Heard the learned counsel for the parties.

3. Petitioner, who is in custody, seeks bail in
connection with Vijaipur (Vijaypur) P.S. Case No. 259 of 2023
registered for the offences punishable under Sections 341, 323,
307, 337, 338, 504/34 of the Indian Penal Code and later on
Section 302 of the Indian Penal Code was added.

4. It has been submitted that vide order dated
22.05.2025 passed in Cr. Misc. No.32131 of 2025, the petitioner
was granted liberty to renew his prayer for bail after six months
or on framing of charge, whichever is later.

5. Learned counsel for the petitioner submits that not



only the charges have been framed but it has been more than six months since rejection of his previous bail application.

6. As per the prosecution case, the informant has stated that nine named accused persons, including the petitioner, surrounded the informant and others. As a result of assault caused by co-accused one Krishna Sharma and the petitioner, the informant's brother sustained serious injuries and the rest of the accused persons were accused of assaulting the other persons and subsequently, during the course of treatment, the brother of the informant succumbed to his injuries.

7. It is submitted by the learned counsel for the petitioner that the petitioner has falsely been implicated in this case and there is a general and omnibus allegation of causing injury to the brother of the informant against the petitioner as well as the other co-accused, Krishna Sharma. Learned counsel has further pointed out that similarly situated co-accused Krishna Sharma has already been granted bail vide order dated 20.12.2024 passed in Cr. Misc. No. 87019 of 2024. It has been submitted that there is a land dispute between the parties and both are agnates and only to settle the dispute this false case has been lodged against the petitioner. It is lastly submitted that the petitioner has no criminal antecedent and is in custody since



21.01.2025.

8. The learned A.P.P. has vehemently opposed the prayer for bail and has submitted that there are serious allegations against the petitioner to have assaulted the brother of the informant, who died during the course of treatment.

9. Considering the aforesaid submissions made by the parties and taking into account that the charges have already been framed, let the petitioner, above named, 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 court below where the case is pending/successor court in connection with Vijaipur (Vijaypur) P.S. Case No. 259 of 2023, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.
- (ii) The petitioner shall remain physically present in Court on each date of the trial.
- (iii) In case of absence on two 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.
- (iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.
- (v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is



found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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.

10. Accordingly, the prayer for bail is allowed.

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

(Sourendra Pandey, J)

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