

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13618 of 2026

Arising Out of PS. Case No.-142 Year-2025 Thana- BIHARIGANJ District- Madhepura

Mukesh Sharma @ Mukesh Kumar S/O Upendra Sharma R/O Vill.- Ramganj
Ward No 09, P.S - Gwapra, District - Madhepura, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Amarnath Jha, Advocate
For the State : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-04-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 103(1) and 3(5) of the B.N.S. and Sections 25(1-B)a, 26 and 27 of the Arms Act.

3. As per prosecution case, on 05.04.2025 at about 7 PM, friends of husband of informant, namely Baljeet Kumar, Shiko Paswan and this petitioner, along with three unknown persons, came to the house of informant and all of them had tea with husband of informant. Thereafter, husband of informant went along with them saying he would return soon and the informant also called her husband once at about 8 to 9 PM on 06.04.2025. It is alleged that on 07.04.2025 at about 7 AM,



informant came to know from the villagers that murder of her husband has been committing by gunshot in a maize field and when the informant reached at the place of occurrence, she found dead body of her husband lying with a bullet injury on his head. Informant believes that all the F.I.R. named accused persons, including this petitioner, along with three unknown persons, committed murder of her husband.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. From bare perusal of the F.I.R. it is apparent that informant is not an eye witness to the occurrence and only on suspicion, because of the fact that this petitioner, along with other accused persons, was last seen with the deceased, petitioner has been made an accused in this case. None of the eye witnesses who were examined during trial have claimed to have seen this petitioner committing the alleged offence. Similarly situated co-accused persons, namely Shiko Paswan and Baljit Kumar, have already been granted bail by this Hon'ble Court vide order dated 24.11.2025 passed in *Cr. Misc. No. 61752 of 2025* and order dated 16.02.2026 passed in *Cr. Misc. No. 8074 of 2026*. Moreover, charge-sheet has already been submitted and petitioner, having no criminal antecedents, is in custody since



15.10.2025.

5. Learned A.P.P. for the State has 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, claim based on parity, period of custody and clean antecedents of the petitioner, the prayer for grant of bail 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 S.D.J.M., Udakishunganj, District-Madhepura in connection with Bihariganj P.S. Case No. 142 of 2025.

(Prabhat Kumar Singh, J)

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