

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24180 of 2026

Arising Out of PS. Case No.-533 Year-2025 Thana- DHANARUA District- Patna

Kaushal Sharma Son of Late Bahadur Sharma Resident of Village - Neema,
P.S.- Dhanarua, Dist. - Patna, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-04-2026 Heard Mr. Ravindra Kumar, learned counsel for the

petitioner as well as Mr. Abhay Kumar Roy, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
19.11.2025 in connection with Dhanarua P.S. Case No. 533 of
2025, F.I.R. dated 04.09.2025 for the offences punishable under
Sections 126(2), 115(2), 109(1), 3(5) of the Bharatiya Nyay
Sanhita, 2023 and Section 27 of Arms Act.

3. According to prosecution case, the informant
alleged that when he was going to his field and reached village
Nima then the petitioner along with other co-accused persons,
all armed with weapons surrounded him and attacked him with
intention to kill and when he tried to run away, then this
petitioner fired upon him due to which he received injury in his



stomach. The informant after tiding his wound with Gamcha tried to flee a way but other accused persons started indiscriminate firing on him but he anyhow reached his house and thereafter he was taken to hospitals for treatment.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. It appears from the FIR that FIR is in two parts. In first part there is general and omnibus allegation against all the accused persons including the petitioner and in the second part there is specific allegation against the petitioner that he fired upon the informant. Although there is specific allegation against the petitioner that he fired upon the informant and the informant received injury but the injury report of the informant suggest that injury inflicted upon him is simple in nature. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 19.11.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that there is direct and specific allegation against the petitioner that he fired upon the informant and informant received injury but fairly submits that injury inflicted upon the



injured person is simple in nature. He further submits that petitioner carries one criminal antecedent in which he is on bail.

6. Considering the aforesaid facts and circumstances, 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 Sub-Divisional Judicial Magistrate, Masaurhi, Patna in connection with Dhanarua P.S. Case No. 533 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the 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.

(Rajesh Kumar Verma, J)

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