

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30829 of 2026

Arising Out of PS. Case No.-24 Year-2024 Thana- SARMERA District- Nalanda

Shankar Kevat S/o Late Sitaram Kewat Resident Of Village - Gaushnagar,
P.S. - Sarmera, District - Nalanda, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parth Sarthy, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 01-07-2026

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Sarmera P.S. Case no. 24 of 2024 registered under sections 302, 147, 148, 149, 341, 232, 447, 504 and 506 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that the five named accused persons entered in the house of the informant and started to hurl abuses. Thereafter it is stated that on the orders of co-accused Dilip Raut the petitioner resorted to indiscriminate firing with his pistol, as a result of which the informant's uncle Ramashrey Yadav sustained gunshot injury in his temple. He was taken to the hospital for treatment where the doctor declared him dead. The accused persons escaped after the



occurrence.

4. It is submitted by learned counsel appearing for the petitioner that the petitioner has been falsely implicated in the case. No such occurrence as alleged in the FIR has taken place in the manner alleged. At the time of arrest, the grounds of arrest were not communicated to the petitioner. The petitioner is in custody since 29.7. 2025 and chargesheet has been submitted in the case.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant. Learned counsel for the informant submits that the petitioner is the assailant of the deceased. In reference to the order of the learned trial Court it is submitted that the postmortem report supports the prosecution case.

6. A report was called for from the learned trial Court. As per the report received contained in letter dated 28.5.2026 of the District and Additional Session Judge 2nd, Nalanda at Biharsharif, no witness has been examined on behalf of the prosecution.

7. In response, it is submitted by learned counsel appearing for the informant that as per oral instructions received one witness has been examined on behalf of the prosecution on



6.6.2026 and the other non-official witnesses will also depose without delay.

8. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the FIR wherein he is described as the assailant of the deceased together with the trial having commenced in the learned trial Court, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

Bibhash/Amit

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