

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33435 of 2026

Arising Out of PS. Case No.-165 Year-2025 Thana- DERNI BAZAR District- Saran

Keshav Sharma S/o Prahlad Sharma @ Prahalad Sharma R/o Village Lohchha
(Lohehha), P.S.- Derni, District - Saran at Chapra (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rakesh Kumar, Advocate
For the Opposite Party/s	:	Mr.Ram Sumiran Rai, APP
For the Informant	:	Mr.Ajit Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-05-2026 Heard Mr.Rakesh Kumar, learned counsel for the
petitioner, Mr.Ajit Kumar Singh, learned counsel for the
informant and Mr.Ram Sumiran Rai, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
06.04.2026 in connection with Derni P.S. Case No. 165 of 2025,
F.I.R. dated 05.07.2025 registered for the offence punishable
under Sections 126(2), 115(2), 109, 352, and 3(5) of the B.N.S.,
2023

3. Allegation against the petitioner is that he
alongwith other accused persons assaulted the informant with
Rod and Danda due to which his left shoulder fractured.

4. Learned counsel appearing for the petitioner
submits that the petitioner has falsely been implicated in the



present case. It appears from the FIR itself that the informant himself admitted that due to previous dispute the present occurrence has taken place and although the petitioner is named in the FIR but there is no specific allegation of any assault or overt-act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner. Although the informant has received the injury and the same is grievous in nature but the same is due to fracture on his shoulder and the petitioner is in custody since 06.04.2026.

5. Learned counsel for the informant and learned APP for the State, on the other hand, have vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has participated in the present crime in question, apart from that, the petitioner carries three more cases other than the present one but he fairly submits that the petitioner is on bail in all the cases, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, 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 learned Judicial Magistrate, 1st Class, Saran at Chapra in connection with Derni P.S. Case No. 165 of



2025,with 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/her absence on two consecutive dates without sufficient reason, his/her 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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