

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36438 of 2026

Arising Out of PS. Case No.-24 Year-2026 Thana- PASRAHA District- Khagaria

1. Rajo Sharma S/o Late Bagho Sharma R/o Village - Jhanjhra, PS - Pasraha, District - Khagaria
2. Kaushal Kumar S/o Rajo Sharma R/o Village - Jhanjhra, PS - Pasraha, District - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivekanand Singh, Adv.

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-06-2026 The Court proceeding is being conducted through virtual mode.

2. Heard learned counsel for the petitioners and learned APP for the State.

3. The petitioners are apprehending arrest in connection with Pasraha P.S. Case No. 24 of 2026 lodged on 03.02.2026, for the offence punishable under Sections 126(2), 115(2), 109(1), 352, 351(2), 351(3) & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

4. As per the prosecution, FIR has been lodged against six named accused persons including the present petitioners. It has been alleged by the informant that all the accused persons



came and started assaulting the informant by lathi, danda. Thereafter, when the informant's son came to rescue then the present petitioners have assaulted him, due to which, injury has been caused which are alleged to be grievous in nature.

5. Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. Counsel further submits that the election dispute was going on and it is due to this reason for the same date and place of occurrence there are case and counter case filed from both the sides and both parties received injury. Counsel submits that Pasraha P.S. Case No. 24 of 2026 has been filed later on by the informant, whereas, the petitioners' side have filed Pasraha P.S. Case No. 23 of 2026. He submits that the injury report of the informant's son has been annexed as Annexure-2 and from the said injury report, it become crystal clear that the injury is caused by hard and blunt substance, whereas, the allegation is of attack by knife. Counsel further submits that the petitioner no.1 has one criminal antecedent in which he is on bail and the petitioner no.2 has two criminal antecedents and in both the cases, he is on bail.

6. Learned APP for the State opposes the prayer for bail of the petitioners but fairly submits that for the same date



and place of occurrence there are case and counter case filed from both the sides.

7. As such, in the present facts and circumstances of this case considering that there is case and counter case filed from both the sides, therefore, let the above named petitioners be released on bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of Judicial Magistrate 1st Class, Khagaria in connection with Pasraha P.S. Case No. 24 of 2026, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

(Dr. Anshuman, J)

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