

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39131 of 2026

Arising Out of PS. Case No.-2 Year-2026 Thana- DIGHWARA District- Saran

=====

Aditya Kumar, S/o Kesharinandan Sharma @ Kesharinand Sharma, R/o
Village- Sitalpur Sharma Tola, P.S.- Dighwara, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary, Adv.

For the Opposite Party/s : Dr. Indihar Kumari, APP

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 17-06-2026 Heard Mr. Dhananjay Kumar Tiwary, learned
Advocate for the petitioner and the learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Dighwara P.S. Case No. 02 of 2026 registered for the offences under Sections 126(2), 115(2), 118(1), 351(2), 109, 3(5) of the B.N.S., 2023.

3. Allegedly, on the fateful day, while the informant was going to purchase some building materials, in the meanwhile, the petitioner along with four other unknown persons surrounded him and brutally assaulted by means of Iron rod, Hockey stick and sharp cutting weapon.

4. Learned Advocate for the petitioner submitted that the alleged incident has taken place on 30.12.2025, but the written report has been instituted after a delay of three days i.e.



on 02.01.2026 without any explanation for such delay. Moreover, if the allegation is taken to be true for the sake of argument, there is general and omnibus nature of allegation against all and despite the fact the petitioner was known to the informant from much earlier, it has not been specifically alleged that the petitioner has assaulted him by which weapon and on which part. It is further contended that the impugned order also suggests that repeatedly the injury report has been called for, but the investigating officer has not produced the injury report, which also suggests that injury is not serious in nature. The petitioner is a man of fair antecedent and he undertakes that he will fully cooperate in the proceeding of the court.

5. On the other hand, learned APP for the State opposes the bail application and submits that petitioner has actively participated in the crime and brutally assaulted the informant.

Regard being had to the submissions made on behalf of the learned Advocate for the respective parties and considering the omnibus nature of allegation, coupled with the fair antecedent of the petitioner, as also the fact that the investigating officer has failed to produce the injury report, let the petitioner, named above, in the event of his arrest or



surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Saran at Chapra in connection with Dighwara P.S. Case No. 02 of 2026, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

uday/-

U		T	
---	--	---	--

