

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40324 of 2026

Arising Out of PS. Case No.-141 Year-2025 Thana- KORMA District- Sheikhpura

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1. Abhishek Kumar S/o Govind Saw Resident of Village and P.S.- Korma, P.O.- Gagaur, Dist.- Sheikhpura, Bihar- 811105
 2. Suraj Saw S/o Govind Saw Resident of Village- Korma, P.O.- Gagaur, Dist.- Sheikhpura, Bihar- 811105

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Priya Kumari, Advocate
For the State	:	Mr. Jagdhar Prasad, APP
For the Informant	:	Mr. Bipin Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 27-07-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Korma P.S. Case No. 141/2025 lodged on 14.12.2025, under Sections 126(2), 115(2), 117(2), 109, 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the FIR has been instituted against four named accused persons, including the present petitioners. It is alleged that the occurrence arose out of a petty dispute relating to the removal of *jalawan* (firewood), during which both sides allegedly engaged in a scuffle. In the course of the altercation, injuries were sustained by the parties,



and one of the injured persons subsequently succumbed to the injuries sustained in the occurrence.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. The petitioners are in custody since 20.04.2026 having no criminal antecedent. Learned Counsel further submits that at the spur of the moment, the scuffling took place from both side and injury has been caused. Learned Counsel further submits that petitioners are not criminal nor any criminal intention or motive is involved but unfortunately, the said occurrence took place. Learned Counsel further submits that the post-mortem report has been called for and the post-mortem report suggests that the death was caused due to cerebral injuries and its complications. Learned Counsel further submits that one of the accused has been granted bail by a Co-ordinate Bench of this Court in Cr. Misc No. 23980 of 2026 vide order dated 16.04.2026. However, the petitioners are willing to abide by any conditions that may be imposed by this Hon'ble Court in the event of his release on bail.

5. Learned counsel for the informant opposes the prayer for bail and submits that the cause of death is cerebral injuries and its complications which is alleged to be caused by



the brick thrown by Petitioner No. 1, Abishek Kumar from the terrace of the house. He further submits that this fact has been acknowledged by the Co-ordinate Bench in Cr. Misc No. 23980 of 2026 vide order dated 16.04.2026.

6. In the present facts and circumstances of the case, let petitioner No.2 above named, be released on bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) as mentioned in Section 2(1) (d) of the BNSS, 2023 to the satisfaction of learned JMFC, Sheikhpura, in connection with Korma P.S. Case No. 141/2025, subject to the conditions as laid down under Section 480(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

7. So far as Petitioner no. 1 is concerned, this Court after considering the nature of allegation levelled against him in the FIR, is not inclined to grant regular bail to him. Accordingly, the prayer for bail with respect to Petitioner No. 1 is hereby rejected, at present.

(Dr. Anshuman, J)

Manshi/Ashwini

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