

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42327 of 2026

Arising Out of PS. Case No.-100 Year-2024 Thana- NAYAGAON District- Saran

Sarwesh Kumar Singh @ Sharwesh Kumar Singh Son of Sadhu Singh @
Sadhu Sharan Singh Resident of Village- Gopalpur, P.S.- Naya Gaon, District-
Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Rajesh Kumar Singh, Advocate
For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 29-06-2026 Heard the parties.

2. The petitioner seeks regular bail punishable for the offences in connection with Nayagaon P.S. Case No.100 of 2024 under Sections 302/34 of the IPC.

3. It has been alleged in the FIR that the FIR has been lodged against two named accused persons including the present petitioner in which the informant has stated that at about 09:30 PM, when he was returning to his house, then he has seen that three persons including the accused persons and victim were sitting on the motor cycle. He has seen that they have thrown victim on the grass and fled away. Informant has seen that his brother was injured, then it has been intimated to the family members, who went to PMCH, but during treatment, doctor had



declared him dead. Allegation has been made against accused persons, who assaulted and killed him.

4. It has been pleaded in the bail petition that the petitioner is innocent and has committed no offence. The case is result of accident. It has been pleaded that there is no independent witness of the said occurrence and motive has not been disclosed in the FIR. Counsel submits that informant was also not present at the place of occurrence. It has been further pleaded that there are two criminal antecedents against the petitioner relating to excise matter.

5. It has been further pleaded that petitioner is in custody since 11.09.2024.

6. Learned APP for the State opposes the prayer for bail and submits that case diary has been called for. He further submits that it is the petitioner and other co-accused persons who are named in the FIR, have attacked on the brother of the informant, cut was formed on his chest and left hand.

7. Counsel for the State further submits that in the case diary, it has come that three independent witnesses have disclosed that the said incident is basically an accident between the motor cycle and tractor on which tools relating to boring machine, pipes, etc were kept and by the said accident, the



deceased Sumit Kumar Singh was brutally injured resulting in his death.

8. Considering the aforesaid facts, let the petitioner above named 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 Sessions Judge, Saran at Chapra in connection with Nayagaon P.S. Case No. 100 of 2024.

(Sandeep Kumar, J)

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