

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70514 of 2025

Arising Out of PS. Case No.-286 Year-2024 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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1. Shankar Sharma, S/o Late Shiv Nath Sharma,
 2. Shivam Kumar @ Shivam Sharma, S/o Shankar Sharma,
Both are resident of village-Balu Ghat, Ward No. 06, P.S.-LNMU, Dist-
Darbhanga

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr. Shaishav Kumar, Advocate
For the Opposite Party/s :	Mr. Mritunjay Kumar Nirala, APP
For the Informant :	Mr. Kumar Rajeev, Advocate
	Mr. Abhishek Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 05-02-2026 Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State duly

assisted by learned counsel appearing for the informant.

2. Both accused/petitioners seeks bail in connection

with University (LNMU) P.S. Case No.286 of 2024 registered

for the offences punishable under Sections 126(2), 115(2),

109, 74, 352, 351(2) read with 3(5) of the Bhartiya Nyaya

Sanhita, 2023 (for short 'B.N.S.').

3. The accused/petitioners are named in the FIR and

are in custody since 02.05.2025.

4. Allegation against petitioners is to assault the



informant and other family members along with other co-accused persons, causing head and bodily injuries, which was made with intention to cause death. As per FIR, the occurrence took place out of trivial neighbourhood disputes arising out of issue of mobile theft.

5. It is submitted by learned counsel appearing for petitioners that as per FIR, the occurrence took place in two parts. As per first allegation, the son of informant namely, Pravesh Kumar was assaulted by Sumit Kumar on 10.10.2024 at about 4.00 pm by using iron pipe. It is submitted that the alleged assault was made on head whereafter, he becomes senseless and when the informant's family members reported this matter to the family of Sumit Kumar, they also assaulted the informant and others. It is submitted that the allegation as to made physical assault is appearing very much general and omnibus in nature against petitioners, who are men of clean clean antecedent. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has submitted and, as such, there is no chance of tampering with



the evidence.

6. Learned APP duly assisted by Mr. Kumar Rajeev, learned counsel appearing for informant while opposing the prayer of bail submitted that during the course of treatment, injured Pravesh Kumar was died but, he fairly conceded that he was assaulted specifically by Sumit Kumar, as submitted aforesaid.

7. In view of aforesaid factual submissions and by taking note of fact as allegation of fatal assault is not available against petitioners rather they are facing general and omnibus allegation *qua* physical assault after the main occurrence, coupled with the fact that investigation of this case is already completed, where petitioners remain in custody since 02.05.2025, accordingly, both petitioners, above-named, who are men of clean antecedent, are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in connection with University (LNMU) P.S. Case No.286 of 2024, subject to the conditions as laid



down under Section 437(3) of the Code of Criminal Procedure
(for short ‘CrPC’)/under Section 480(3) of the Bhartiya
Nagrik Suraksha Sanhita (for short ‘BNSS’).

(Chandra Shekhar Jha, J.)

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