IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75924 of 2026

CNR No. BRHC011077462026

Arising Out of PS. Case No.-210 Year-2026 Thana- KHAJAULI District- Madhubani

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Abhishek Sharma @ Abhishek Kumar Sharma Son of Ramprit Thakur Resident of Village - Datuar, P.S -Khajauli, District - Madhubani

... ... Petitioner

Versus

The State of Bihar

... ... Opposite Party

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Appearance :
For the Petitioner/s : Mr.Ravindra Kumar Singh, Advocate
For the State : Mr.Ajay Kumar No. 2, APP
For the Informant : Ms.Kusum Rani, Advocate
Ms.Archana Aanand, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

2 28-10-2026 Heard learned counsel appearing on behalf of the petitioner and learned A.P.P. for the State.

2. The accused/petitioner seeks bail in connection with Khajauli P.S. Case No. 210 of 2026 registered for the offences under Sections 74, 126(2), 118(1), 109, 303(2), 352, 351(2), 3(5) and 115(2) of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.').

3. The accused/petitioner is named in the First Information Report and is in custody since 22.08.2026.

4. As per FIR, petitioner alleged to assault the informant and others during course of occurrence causing

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head and bodily injuries, having intention to cause death of injured person, where during the occurrence, this petitioner alleged to snatch Rs. 10,000/- from the pocket of husband of the informant. It is alleged that the occurrence took place in the background of land dispute.

5. It is submitted by learned counsel appearing on behalf of the petitioner that the present occurrence was free fight in nature where both parties received injury and for the same set of occurrence, another case was lodged by petitioner's side, which has been registered as Khajauli P.S. Case No. 211/2026.

6. It is submitted that the allegation of assault is not available against this petitioner rather he alleged with very ornamental allegation of theft as during the occurrence he snatched Rs. 10,000/- from the pocket of husband of the informant.

7. While concluding argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation of this case has already concluded, for which charge-sheet has been submitted and as such, there is no

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chance of tampering with the evidence.

8. Learned A.P.P. for the State duly assisted by learned counsel for the informant, while opposing the prayer for bail of the petitioner, could not disputed the aforesaid factual submission as advanced by learned counsel for the petitioner.

9. In view of aforesaid factual submission and by taking note of the fact as allegation of physical assault is *prima facie* not appears available against this petitioner rather he appears implicated with the present occurrence which is free-fight in nature with allegation to snatch a cash of Rs. 10,000/- from the pocket of husband of the informant, coupled with the fact that investigation of this case has already concluded, wherein petitioner, who is a man of clean antecedent, remains in custody since 22.08.2026, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani/concerned court, in connection with

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Khajauli P.S. Case No. 210 of 2026, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short "B.N.S.S.").

(Chandra Shekhar Jha, J.)

Rajeev/-

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