

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78235 of 2025

Arising Out of PS. Case No.-95 Year-2025 Thana- Nawalpur District- West Champaran

Gamha Sharma S/o Yogindra sharma Resident of Ward No. 9, Nawalpur, P.S.-
Nawalpur, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Dhananjay Kumar
For the Opposite Party/s :	Mr. Ajay Kumar No. 2
For the Informant	Mr. Umesh Kumar Gupta

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 20-02-2026 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 103 and 3(5) of the B.N.S.

3. Petitioner along with other accused persons are said
to have assaulted the deceased.

4. Learned counsel for the petitioner submits that
there are general and omnibus allegations made in the First
Information Report and as a matter of fact, the informant is not
an eye witness to the occurrence. Further, the postmortem report
also indicates that there is no external injury except the ligature
mark on the neck and the cause of death has also been stated to
be asphyxia due to hanging. It is further submitted that



considering all the facts and circumstances, similarly situated co-accused Yaswant Yadav has been granted privilege of anticipatory bail by a coordinate Bench of this Court vide order dated 10.12.2025 passed in Cr. Misc. No. 70987 of 2025 Further, the petitioner is in custody since 23.07.2025 and after framing of charges, the case is pending at the stage prosecution evidence.

5. Learned APP for the State and learned counsel for the informant have opposed the application for bail. Learned counsel for the informant has fairly submitted that he is not in a position to controvert the fact that the case of the petitioner would be is on similar footing as that of the co-accused Yashwant Yadav.

6. Taking into consideration the facts and circumstances and also considering the fact that the similarly situated co-accused has already been granted bail, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Nawalpur P.S. Case No. 95 of 2025, subject to the conditions that the petitioner shall appear on each and every date till conclusion of



trial and if the petitioner does not appear on two consecutive dates without any substantial and satisfactory reason, the learned court below would be at liberty to cancel his bail bonds.

(Soni Shrivastava, J)

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