IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78492 of 2026

CNR No. BRHC011136382026

Arising Out of PS. Case No.-333 Year-2026 Thana- DARAUNDA District- Siwan

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1. Devanand Sharma S/O Ramraj Sharma R/O Village- Balbangra, P.S.- Daraunda, District- Siwan.
2. Devendra Kumar Sharma @ Devendra Sharma S/O Ramraj Sharma R/O Village- Balbangra, P.S.- Daraunda, District- Siwan.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 78520 of 2026

CNR No. BRHC011136382026

Arising Out of PS. Case No.-333 Year-2026 Thana- DARAUNDA District- Siwan

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Ramraj Sharma Son of Late Kishun Sharma @ Sri Kishun Sharma Resident of Village- Balbangra, P.S.- Daraunda, District- Siwan.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
(In CRIMINAL MISCELLANEOUS No. 78492 of 2026)
For the Petitioners : Mr. Javed Aslam, Advocate
For the State : Mr. Surendra Kumar, APP
(In CRIMINAL MISCELLANEOUS No. 78520 of 2026)
For the Petitioner : Mr. Javed Aslam, Advocate
For the State : Mr. Surendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR

ORAL ORDER

2 05-11-2026 Since both the anticipatory bail petitions arise out of the same police station case number, therefore they are being heard together and disposed of by this common order.

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2. Heard the learned counsel for the petitioners in both the cases and the learned APP appearing on behalf of the State in both the cases.

3. The petitioners apprehend their arrest in connection with Daraunda P.S. Case No.333 of 2026 for allegedly having committed offences under Sections 126(2), 115(2), 117(2), 118(2), 109 and 3(5) of B.N.S.

4. As per the prosecution story, which has been lodged on the basis of the written report submitted by the informant, to the effect that on the date of occurrence his agnates named in the first information report, including the petitioners herein assaulted him, his son and daughter-in-law, due to which they sustained injuries and his son also sustained injuries on his head.

5. The learned counsel for the petitioners submits that the petitioners are innocent and have not committed any offence. He submits that for the same occurrence, Daraunda P.S. Case No.335 of 2026 was lodged by the petitioner no.1 of Criminal Miscellaneous No.78492 of 2026 against the informant and others. He submits that there was a dispute in between the parties for Bhoomi Pujan on the purchased land of the petitioners and others and on account of the same, fight occurred in between the parties. He next submits that the

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informant and his son both sustained injuries, however the doctor opined the injuries sustained on the head to be simple in nature and so far the injuries sustained by them on their hand, the same were found to be grievous in nature. The learned counsel for the petitioners submits that the petitioners have got a clean antecedent.

6. *Per contra*, the learned APP appearing on behalf of the State, while opposing the prayer for grant of anticipatory bail to the petitioners, submits that all the accused persons, including the petitioners herein assaulted the informant, his son and his daughter-in-law, due to which his son sustained head injuries.

7. Having considered the rival submissions and after going through the records as well as the impugned order dated 07.10.2026 passed by the learned District & Additional Sessions Judge-IX, Siwan, it would transpire that for the same occurrence there is a case and counter case. The accused side as well as the informant side are agnates. It appears from the impugned order that the learned Judge, after going through paragraph nos.45 and 46 of the case diary, recorded the injuries sustained by the informant as well as his son. From perusal thereof, it would transpire that the treating doctor found the injuries sustained by

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the informant on his head to be simple in nature caused by hard and blunt substance and so far injury no.2, which is pain and tenderness on right shoulder, is concerned, the same was found to be fracture of lateral boarder of right scapula, therefore the doctor opined the injuries to be grievous in nature. So far the son of the informant is concerned, the doctor found the injuries sustained on his head to be simple in nature and so far the injury no.2 is concerned, the same has been found to be grievous in nature, since the same has been found to be fracture at proximal shaft of ulna. The injuries, which have been found to be grievous in nature by the treating doctor, are not on the vital part of the body.

8. Taking into consideration the facts aforesaid, let the petitioners, above-named, in the event of their arrest or surrender within a period of six weeks, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VI, Siwan in connection with Daraunda P.S. Case No.333 of 2026, subject to the conditions laid down under Section 482(2) of the B.N.S.S. with a further condition that:-

(i) The learned court concerned shall verify the

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criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court concerned shall take steps for cancellation of their bail bonds. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J.)

Sanjay/-

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