

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82623 of 2025

Arising Out of PS. Case No.-9 Year-2025 Thana- TELHARA District- Nalanda

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1. Jaiprakash Sharma @ Pintu Son of Sri Rajbali Sharma @ Rajbali Singh Resident of Village - Tarupur, Police Station - Telhara, District - Nalanda.
 2. Ravindra Sharma Son of Sri Rajbali Sharma @ Rajbali Singh Resident of Village - Tarupur, Police Station - Telhara, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Advocate
		Mr. Rakesh Kumar Sharma, Advocate
	:	Mr. Adarsh P., Advocate
	:	Mr. Mayank Raj, Advocate
For the State	:	Ms. Dr. Indihar Kumari, APP
For the Informant	:	Mr. Pankaj Kumar Sinha, Advocate
	:	Mr. Lovekush Kumar, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 18-02-2026 Heard Mr. Ramakant Sharma, learned Senior counsel for the petitioners, Ms. Dr. Indihar Kumari, learned APP for the State and Mr. Pankaj Kumar Sinha, learned counsel for the informant.

2. The petitioners seek bail in a case registered for the offence punishable under Sections 326, 103(1), 3(5) of the B.N.S., 2023.

3. As per the prosecution case, the informant stated that upon hearing his father screaming from the community hall, he rushed to the spot and found his father set on fire. When he raised an alarm for help, the petitioners and others



allegedly fled away from the place of occurrence.

4. Learned Senior counsel for the petitioners submits that upon a bare perusal of the First Information Report, it would be evident that the deceased was seen at 2:00 O'Clock in the night burning on flames and the informant has only stated that he had seen the petitioners running away from near the place of occurrence. It has further been submitted that from the various paragraphs of the case diary, being paragraph nos.37, 38 and 94 etc., that when the police tried to take a confidential information it was found that there was land dispute between the parties and it is on account of such that the petitioners have been made an accused although they do not have any complicity in the same. Further, in paragraph-38 of the case diary, it has been stated that spy has also reported that the deceased used to sleep in the community hall on a wooden cot and twice earlier also he got burnt on account of Heater and in the present occurrence also it was said that there was a possibility of getting burnt by Heater. Further, this fact of the deceased sleeping in the community hall further negates the fact that the informant would have seen his father burning as well as the accused persons fleeing away from the place of occurrence, as such, the version of the informant is also



doubtful. The petitioners are in custody since 10.09.2025 and charge-sheet has been submitted.

5. Learned counsel for the informant while vehemently opposing the grant of bail has pointed out that the case has now been committed to the Court of sessions and he also undertakes that once the charges are framed, he would be able to examine all his witnesses within six months. It has been further pointed out that the informant in the First Information Report has disclosed the names of both the petitioners and during the course of investigation also it has transpired that petitioner no.1, Jaiprakash Sharma @ Pintu has been found fleeing away from the place of occurrence. The deceased is also said to have taken the name of petitioner no.1 of putting him on fire but, however, the police officer who was along with the informant has not supported such factum of disclosure made by the deceased.

6. The FSL report is also on record which discloses the fact that 'Kerosene' was detected in the contents of the exhibits marked A, B and C and 'Dichlorophenyl' was detected in the contents of exhibits marked D1 and D2.

7. Taking into consideration the facts and circumstances and also considering the fact that the petitioner



no.1 has been specifically named in the First Information Report by way of disclosure made by the deceased to the informant and also his name being disclosed in the other materials collected during the course of investigation, coupled with the FSL report, this Court is not inclined to grant the privilege of bail to the petitioner no.1, namely Jaiprakash Sharma @ Pintu. Accordingly, the prayer for bail of the petitioner no.1 is hereby rejected.

8. However, so far the petitioner no.2 is concerned, he is a senior citizen and his name does not transpire during the course of investigation, as such, let the above named petitioner no.2, namely Ravindra Sharma, be released 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 Additional Chief Judicial Magistrate-I, Hilsa (Nalanda)/concerned Court below in connection with Telhara P.S. Case No. 09 of 2025 subject to condition that:-

(i) The petitioner no.2 shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.



9. The learned Trial Court is also directed to proceed expeditiously with the trial without giving any unnecessary adjournments and preferably conclude the same within a period of six months as it has been undertaken on behalf of the informant that he would be examining his witnesses within the stipulated period after framing of charge.

11. Accordingly, this application is partly allowed.

(Soni Shrivastava, J)

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