

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84241 of 2025

Arising Out of PS. Case No.-257 Year-2024 Thana- BIHARIGANJ District- Madhepura

1. Shrawan Pal @ Shrawan Kumar, S/o Surendra Pal
 2. Bipen Pal @ Bijen Pal, S/o Late Gulay Pal
 3. Pawan Kumar, S/o Surendra Pal
- All are R/o Village-Kathotiya, Ward No.07, P.S.-Bihariganj, Distt.-
Madhepura.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Senior Advocate
Mr. Ranjay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 10-02-2026 Heard learned senior counsel for the petitioners and

learned Additional Public Prosecutor for the State.

2. The petitioners seek bail in connection with

Bihariganj P.S. Case No.257 of 2024 registered for the

offences punishable under Sections 115, 126(2), 118(1),

109, 103(1) 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 11.06.2025.

4. Allegation against petitioner is to assault the

brother of informant and others during course of occurrence

along with co-accused persons causing head and bodily



injuries, where during hospitalization, the brother of informant succumbed to the injuries.

5. Mr. N.K. Agrawal, learned senior counsel appearing for petitioner submitted that face of FIR itself suggest that informant left the place of occurrence in between out of fear and, therefore, he cannot be said complete eye-witness of the crime in question. It is submitted that informant subsequently, came to know that his brother died during hospitalization in Madhepura College and Hospital. It is submitted that even the allegation of physical assault *qua* petitioner is appearing very much general and omnibus in nature. It is submitted that despite of custody of about nine months even charge could not framed in this matter. While concluding argument, it is submitted that investigation of this case has already been completed for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence. Explaining criminal antecedent, it is submitted by Mr. Agrawal that all three petitioners are involved in two more criminal cases, where they are on bail.

6. Learned APP opposes the prayer for grant of bail



to the petitioners.

7. In view of aforesaid factual submissions and by taking note of fact as *prima facie*, the informant cannot be said eye-witness of the complete occurrence as per FIR, coupled with the fact that the allegation of physical assault is appearing very much general and omnibus in nature *qua* petitioners, where despite of custody period of nine months, even charge could not framed against the petitioners suggesting that trial of this case would not likely to conclude in near future, accordingly, all three petitioners, above-named, 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 S.D.J.M. Udakishunganj in connection with Bihariganj P.S. Case No.257 of 2024, subject to the conditions as laid down under Section 437(3) of the CrPC/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short ‘BNSS’).

(Chandra Shekhar Jha, J.)

Sanjeet/-

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