

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83973 of 2025

Arising Out of PS. Case No.-213 Year-2025 Thana- OBRA District- Aurangabad

Golu Sharma Son of Madan Sharma Resident of village - Kharati, Police
Station - Obra, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kishore Choudhary, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 11-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Obra P.S. Case No. 213 of 2025 registered for the alleged offences under Sections 191(2), 190, 115(2), 126(2), 103(1), 303(2) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, the husband of the informant was tied with rope by the petitioner and other co-accused persons who brutally assaulted the husband of the informant.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is no specific allegation of assault against the petitioner and the allegation is general and omnibus against the



petitioner and other co-accused persons. True fact of the case is that the husband of the informant had committed rape with the sister of the petitioner and on the fateful day, he was again trying to commit rape with the sister of the informant and was caught in this act and was thrashed by the mob, which assembled on hearing the cries of the victim girl. The petitioner's side has also lodged Obra P.S. Case No. 260 of 2025 registered under Sections 64, 86, 74, 75, 76, 115(2), 126(2), 352, 351(2), 333, 324(4) r/w 3(5) of BNS against the informant's side. Learned counsel further submits that the petitioner is having clean antecedent and is in custody since 12.06.2025. Charge-sheet has been submitted.

05. Learned APP for the State opposes the submission made on behalf of the petitioner. Learned APP submits that there is specific allegation against the petitioner and other co-accused persons that they brutally assaulted the husband of the informant, who was declared brought dead when taken to hospital.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the non-specific nature of allegation against the petitioner and also considering the FIR lodged by the petitioner's side and further



considering the period of custody of the petitioner and his clean antecedent along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Daudnagar, Aurangabad/court concerned in connection with Obra P.S. Case No. 213 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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