

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89718 of 2025

Arising Out of PS. Case No.-55 Year-2025 Thana- JAIPUR District- Banka

Rohit Sharma S/o Jagat Narayan Sharma R/o Village - Teliyadih (Taliadih),
P.S - Jaipur (Katoriya), District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-03-2026 Heard Mr. Dhananjay Kumar Pandey, learned counsel
for the petitioner and Mr. Ashok Kumar Singh, learned APP for
the State.

2. Petitioner seeks bail, who is in custody since
18.09.2025, in connection with Jaipur P.S. Case No. 55 of 2025,
F.I.R. dated 11.07.2025 for the offences punishable under
Section 126(2), 115(2), 117(2), 109, 103, 329(4), 352, 351(2)
and 3(5) of the B.N.S., 2023.

3. According to prosecution case, In the nutshell,
prosecution story is that, on 10.07.2025, informant
Chandrashekhar Sharma, aged 28 years, son of Bhagwat
Sharma, resident of Taliadih, P.S. Jaipur, District Banka, gave
his statement at Sadar Hospital, Banka, recorded by SI Shiv
Kumar Suman. He stated that at about 12:30 PM, while he and



his father were doing woodwork and has mother Aruna Devi was cooking food, the accused persons- 1. Bitra Kumar Sharma, 2. Rohit Sharma, 3. Chottu Sharma, 4. Jagatnarayan Sharma, 5. Pramod Sharma, 6. Akashi Devi, and 7. Putul Devi, all residents of Taliadih, P.S. Jaipur - came armed with lathi (sticks), rods, and daggers, and started abusing and assaulting the informant's family after a dispute over closing the house gate. During the assault, Bittu Kumar Sharma struck the informant's mother on the head with a sabbal, Rohit Sharma attacked his father with a dagger, and Pramod Sharma hit the informant on the head with a lathi (stick), causing serious injuries to all three. Believing them dead, the accused fled. The victims were rescued by police and taken to Sadar Hospital, Banka, later referred to Mayaganj Hospital, Bhagalpur, where Aruna Devi died during treatment.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. From a bare perusal of FIR, it appears that the specific allegation of assault is attributed against the co-accused person, namely, Bittu Kumar Sharma who has assaulted the mother of the informant, namely, Aruna



Devi on head due to which she died. Allegation against the petitioner is that he assaulted the father of the informant, namely, Bhagwat Sharma and there is no allegation against the petitioner that he assaulted the mother of the informant and the co-accused persons, namely, Jagat Narayan Sharma and Aakashi Devi, against whom no allegation of any assault or overt-act, have been granted bail by this Court vide order dated 25.11.2025 passed in Cr. Misc. No. 83806 of 2025. He further submits that the Police after investigation submitted charge-sheet against the petitioner and petitioner is in judicial custody since 18.09.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and also the fact that the petitioner has clean antecedent and there is no specific allegation against the petitioner to assault the deceased rather the allegation against the petitioner is to assault the father of the informant and the injury report of the father of the informant suggests that the injury is found to be simple in nature, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned



Judicial Magistrate, 1st Class, Banka, in connection with Jaipur
P.S. Case No. 55 of 2025, with the following conditions:

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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.

(Rajesh Kumar Verma, J)

Ranjeet/-

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