

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88137 of 2025

Arising Out of PS. Case No.-2 Year-2024 Thana- Anandpur District- Banka

-
1. Yogendra Sharma son of Late Bikho Sharma Resident of Village-Ranadih Mohandih, Police Station-Anandpur, District-Banka
 2. Choudhary Sharma S/O Late Loko Sharma Resident of Village-Ranadih Mohandih, Police Station-Anandpur, District-Banka

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Nurul Hoda, Advocate
For the Opposite Party/s : Mr. Raj Kishor Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 12-01-2026 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners seek bail in connection with Anandpur P.S. Case No. 02 of 2024 registered for the offences punishable under Sections 353, 335, 427, 332, 333 & 34 of the Indian Penal Code.

3. As per prosecution case, the petitioners along with other co-accused persons are said to have set fire to two JCB machines and one tractor. When the informant and home guards attempted to extinguish the fire using a fire-fighting vehicle, the petitioners and co-accused persons also set the fire-fighting vehicle on fire. It is further alleged that the co-accused



persons assaulted the informant and other home guards.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have not committed any offence as alleged in the F.I.R. It is further submitted that there is a case and counter-case between the parties and that the petitioners' side had instituted the earlier case against the opposite party. It is further submitted that the F.I.R. has been instituted against twelve named and fifteen unknown persons, who were protesting the death of a child allegedly caused due to the negligence of State officials. Learned counsel submits that merely because the petitioners are residents of the locality, they have been implicated in the present case. Petitioners are in custody since 21.09.2025. Apart from that petitioners having no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. On similar and identical allegation co-accused Shankar Sharma @ Shankar Rana and two others have already been granted bail by the co-ordinate Bench of this Court vide Cr. Misc. No. 46780 of 2024 and on the principle of parity the petitioners also deserves same treatment.

5. The learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioners and submitted that



the petitioners are FIR named accused and they cannot escape from the allegation made in the FIR.

6. Considering the facts and circumstances of the case, period of custody, on similar and identical allegation co-accused persons have already been granted bail, keeping in view clean antecedent of petitioners, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioners above named 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 learned C.J.M., Banka in connection with Anandpur P.S. Case No. 02 of 2024, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioners will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioners tamper with the evidence



orpetitioner the witnesses, in that case, the prosecution will be at
liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

Nilmani/-

U		T	
---	--	---	--

