

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87921 of 2025**

Arising Out of PS. Case No.-733 Year-2025 Thana- GOPALGANJ TOWN District-
Gopalganj

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Abhishekh Sharma @ Abhishek Kumar S/O Kanhaiya Sharma Resident of
village - Amwa Dumria, Police Station - Gopalganj Town, District -
Gopalganj,Bihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Mr. Pratyush, Advocate
	:	Ms. Tooba Hera, Advocate
	:	Mr. Thakur Brajesh Singh, Advocate
For the Opposite Party/s :	:	Mr. Bharat Lal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 30-04-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
03.10.2025 in connection with Gopalganj Town P.S. Case No.
733 of 2025 for the offences punishable under Sections 126(2),
118(1), 352, 109, 351(2), 78 and 3(5) of BNS.

3. The prosecution story, in brief, is that on 01.10.2025
at around 04:00 pm informant along with her daughter Sharda
Kumari went to see the Durga Puja fair. While returning home,
when they reached near Konha more at 07:52 pm, one
Abhishekh Sharma and Mohan Sharma both residents of Amwa
Dumaria started following them on their motorcycle and then



forcibly caught hold them and tried to make them sit on their motorcycle. When the informant objected, both of them abused and threatened to kill the informant. Immediately, Abhishekh Sharma who had a knife in his hand, with an intention to kill assaulted the informant's daughter on her head and she started bleeding and further assaulted her with knife on various parts of the body including back and both hands, causing severe injuries.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and is innocent and he has falsely been implicated in the present case. It is further submitted that the allegation as alleged in the FIR is forged and fabricated and the petitioner has not committed any offence as alleged in the FIR. It is next submitted that the present case is a counterblast of Gopalganj Town P.S. Case No. 779 of 2024 filed on behalf of the petitioner against the informant and their family members. It is further submitted that in the aforesaid case, the petitioner was brutally assaulted by one Munna Kumar, son of the informant, thereafter, Gopalganj Town P.S. Case No. 779 of 2024 has been instituted. It is also submitted that both the parties have filed a compromise petition dated 02.03.2026 before the learned Chief Judicial Magistrate, Gopalganj and for the same set of allegation co-accused Mohan Sharma has been



granted bail by the learned court below and the police after investigation has submitted charge-sheet and the petitioner is in custody since 03.10.2025.

5. The learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner and the injured person have received injury which is grievous in nature.

6. Considering the aforesaid facts and circumstances and that petitioner has clean antecedent, 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 Chief Judicial Magistrate, Purnia in connection with Gopalganj Town P.S. Case No. 733 of 2025, subject to 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be canceled 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)

Gaurav Sinha/-

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