

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87610 of 2025

Arising Out of PS. Case No.-210 Year-2025 Thana- KHAGARIA District- Khagaria

Amit Kumar Son of Jawahar Sharma R/o Village - Bhadas Uttari, Ward no. 4,
P.S. - Gangaur, Dist. - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate

For the Opposite Party/s : Md. Matloob Rab, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 10-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 126(2), 115(2), 109(1), 303(2), 352, 351(2), 324, 329 and 3 (5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the petitioner in association with other co-accused variously armed is said to have assaulted the informant with hammer causing injury on her forehead. When the husband of the informant rushed in her rescue, he was also assaulted due to which his left leg got fractured.

4. It is submitted by learned counsel for the petitioner that the present F.I.R. has been lodged after delay of



eight days for which no plausible explanation has been tendered. It is further submitted that an altercation had taken place between the parties only on account of prior dispute as the informant's side had abducted the sister of the petitioner and after sometime his sister came back and thereafter a Panchayati was held and the matter was pacified. It is further submitted that co-accused, Jawahar Sharma has already been granted bail vide order dated 10.11.2025 passed in Cr. Misc. No.71984 of 2025 (Annexure-P/2). Further, there no intention to cause death can be imputed on the petitioner on account of the fact that he was armed with pistol, according to the prosecution itself which was never used. The petitioner has no criminal antecedent and has been languishing in custody since 22.09.2025.

5. Learned APP for the State opposed the bail petition on the ground of grievous injury suffered by the injured.

6. Taking into consideration the facts and circumstances of the case and also considering the delay in lodging the F.I.R. coupled with the fact that petitioner is in custody since 22.09.2025 with clean antecedent and chargesheet has already been submitted, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.



10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Khagaria P.S. Case No.210 of 2025, subject to the conditions that :

(i) One of the bailors will be his close relative/family members.

(ii) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(Soni Shrivastava, J)

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