

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41 of 2026

Arising Out of PS. Case No.-349 Year-2024 Thana- Sahayak Khajanchi District- Purnia

Dharmu Kumar @ Dharmpal Sharma S/o Sachhidanand Sharma R/o Mohalla
- Zila School Road, Purnea, P.S - Sahayak Khazanchi, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate

Mr. Bidhu Ranjan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

3 26-02-2026 Heard learned senior counsel for the petitioner and
learned APP for the State.

02. In the present case, the petitioner seeks bail in connection with Sessions Trial No. 635 of 2025, arising out of Sahayak Khazanchi P.S. Case No. 349 of 2024 registered for the alleged offences under Sections 126(2), 115(2), 109(1), 103(1) of BNS.

03. As per prosecution case, the husband of the informant was called out by the petitioner and he went away with him. Subsequently, the informant received information from Ward Councillor that her husband had been admitted in hospital in injured condition as he had been brought in Umeed



Hospital, Line Bazar, Purnea and his condition was serious. Subsequently, it came to the notice during investigation that it was the petitioner, who was perpetrator of assault against the husband of the informant. Subsequently, the husband of the informant died while undergoing treatment.

04. Learned senior counsel for the petitioner submits that the petitioner has been falsely implicated in this case and he has no hand in the assault over the husband of the informant. Learned senior counsel further submits that the deceased was found in injured condition in garage of one Manoj Das from where he was brought to the hospital and there is no eye witness who might have seen the petitioner assaulting the deceased. Moreover, the deceased has remained under treatment for about six months. The petitioner has been made accused in this case merely on suspicion. The death occurred in the house of the deceased and no postmortem was conducted. It has also come during investigation that there was no cordial relationship between the deceased and his wife and against the medical advice the victim was brought to his house. Learned senior counsel reiterates that there is no substantive material to show the complicity of the petitioner in the alleged crime except the statement of the wife of the deceased about the deceased leaving



with the petitioner on 14.12.2024 and thereafter, deceased died on 24.06.2025. The petitioner has got no criminal antecedent. The petitioner is in custody since 29.08.2025 and charge sheet has been submitted.

05. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the deceased was last seen in the company of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the vague and remote nature of allegation and the material collected against the petitioner and also considering the period of custody of the petitioner, his clean antecedent and 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 District & Additional Sessions Judge-VIII, Purnea /concerned Court in connection with Sessions Trial No. 635 of 2025, arising out of Sahayak Khazanchi P.S. Case No. 349 of 2024, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also 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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