

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90557 of 2025

Arising Out of PS. Case No.-208 Year-2025 Thana- SARMERA District- Nalanda

Shrawan Kumar @ Shrawan Laheri Son of Jamuna Laheri R/o Village -
Ahiyapur, P.S. - Sarmera, Distt - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Om Prakash Maharaj, Adv.
For the Opposite Party/s :	Mr.Zainul Abedin, APP
For the Informant :	Mr. Bipin Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 24-02-2026 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. In the present case, the petitioner seeks bail in connection with Sarmera P.S. Case No. 208 of 2025, registered for the offences under Sections 126(2), 115(2), 117(2), 109(1), 352 and 351(2) of the BNS.

3. As per the prosecution case, finding the photograph of his daughter with the informant in the mobile phone of the informant, the petitioner became highly agitated and attacked the informant with axe causing fracture of his head. Thereafter the petitioner put down the informant and severed his right ear by biting it with his teeth.

4. Learned counsel appearing on behalf of the



petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. No occurrence as alleged has ever taken place. The informant of the present case is a person of criminal bent of mind and he is an anti-social person who tried to forcibly take away the daughter of the informant when she has been sitting in her shop. The informant has also manipulated the photographs and made them viral in order to outrage the modesty of the daughter of the petitioner. The informant himself assaulted the petitioner with bricks and during scuffle he fell down and received injury on the counter made of glass. The police did not register the complaint of the petitioner and after instituting the FIR at the instance of the informant, subsequently lodged the FIR on complaint of the petitioner. Charge sheet has been submitted without any injury report. Further the injury report subsequently brought on record shows a simple and lacerated wound of size 2"x1/4" on the right ear and a lacerated wound of size 1"x1/4"x1/4" SD on the left side of the head. There is no injury of any sharp cutting weapon and it falsifies the allegation that petitioner attacked the informant with axe. Further the nature of injury is stated to be simple. The petitioner is in custody since 04.09.2025 and he bears clean antecedent.



5. Learned APP appearing for the State and learned counsel appearing on behalf of the informant vehemently oppose the submission made on behalf of the petitioner. Learned counsel for the informant submits that in the assault by the petitioner, the right ear of the informant was severed. This fact has been noted by the doctor of PMCH, Patna wherein it has been mentioned that the a human bite causing amputation of upper part of right ear has occurred and the informant was referred for plastic surgery for ear reconstruction which shows the severity of the injury.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the nature of allegation, submission of charge sheet and period of custody of the petitioner, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned CJM, Nalanda/concerned court, in connection with Sarmera P.S. Case No. 208 of 2025, subject to the condition laid down under Section 480(3) of the BNSS and other 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, if so required by the learned trial court.

(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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