

THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE- II, JAMUI
SHRAWAN VISWAKARMA VS. THE STATE OF BIHAR

B.A. NO. -356 Of 2026
Mohanpur P.S. Case No- 54/2026

ORDER

Present: Sudhir Sinha

06.07.2026

This regular bail petition has been filed by petitioner **Shrawan Vishwakarma** who is in custody since 13.05.2026 in connection with Mohanpur P.S. Case No. 54/2026 registered u/s-126(2), 115(2), 109(1), 191(2), 190, 76, 303(2), 351(2), 352, 3(5) of B.N.S, the copy of which is served upon the Id. P.P.

The Id. Counsel for the custody accused has submitted that the accused is rotting in jail since 13.05.2026. The regular bail petition was rejected on 16.05.2026 by Id. C.J.M, Jamui and after that no any other bail petition has been filed on behalf of the petitioner in any other Court except the present one. There is one criminal case vide SC/ST No 18/2018 in which he is on bail. The police has not given notice u/s-35(3) of BNSS to the petitioner. As per Id. Counsel the petitioner is innocent, has committed no offence and has falsely been implicated in this case due to land dispute. All sections are bailable except sections 109(1), 76, 303(2) of BNS which are not made out. There is case and counter case vide Mohanpur P.S Case No. 53/2026. The petitioner is in jail since 13.05.2026. The petitioner is man of means and there is no chance of his absconding and he is ready to furnish bail bond to the satisfaction of Id. Court. In such view the Id. Counsel prayed to enlarge the petitioner on bail.

The Id. Addl.P.P opposed the prayer for bail.

On perusal of case diary it is clear that on the basis of written information of Geeta Devi, the Mohanpur P.S. Case No. 54/2026 was registered u/s- 126(2), 115(2), 109(1), 191(2), 190, 76, 303(2), 351(2), 352, 3(5) of B.N.S, wherein she has stated that on 12.05.2025 at about 07:30 in the day, when she was at her shop, 1. Aditya Kumar Vishwakarma, son of Shrawan Vishwakarma, 2. Shrawan Vishwakarma and five unknown persons came together and forcibly started parking the truck in front of her hotel. Upon objection by her husband Omkar Yadav, Shrawan Vishwakarma and Aditya Vishwakarma with intention to kill, assaulted her husband Omkar Yadav and son Nivas Yadav with lathi and iron rods, causing cut at their foreheads, fractured their hands, and also badly injured them. When her son Subhash Kumar came to save them, he was also assaulted by the accused persons thereby injuring him. When she objected, all the accused persons entered into her house and did objectionable activities and threw her on the

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ground, Aditya and Shravan tore her clothes and tried to dishonour her. Shravan Vishwakarma snatched a gold chain weighing 1 bhar(10 gms) from her neck and gave it to Aditya Vishwakarma. The accused persons looted Rs 20,000 (twenty thousand rupees) from the cash box of her husband's shop. Her husband and son are in a very serious condition due to injuries and are undergoing treatment in the hospital. The informant in her re-statement in CD para-3 has stated the same facts. The witnesses in CD para-7 and 8 have supported the the incident. The injury report of Niwas Kumar shows (1) Abrasion on posterior parietal region with mild bleeding and CT scan head shows no significant focal parenchymal lesion including all tissue and calvarial bones are normal and above injury is simple in nature. While as per injury report of Om Prakash Yadav there is (1) Mild swelling on mid parital region due to trauma by hard object, 2. Pain and swelling at left wrist joint, CT scan report shows no parenchymal injury & x-ray show tiny chip fracture and injuries are simple in nature. The Court finds that allegation against the petitioner is that he alongwith other accused persons assaulted the informant, thus the allegation is found to be general and omnibus with no specific and overt act attributed against the petitioner. Further the allegation of outraging the modesty of informant by petitioner alongwith his son Aditya is not only illogical but absurd as well. This instant case is counter case. The petitioner is in jail since 13.05.2026.

Therefore considering the facts and circumstances of this case having regard to the submissions advanced by both the parties, the custody accused **Shrawan Vishwakarma** is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the concerned court.

Dictated & Corrected

District & Addl. S.J -II, Jamui
06.07.2026