

In the Court of Sessions Judge, Vaishali

B.P. No. 504/2026

1. Bittu Sharma, aged about 26 years S/o Ganesh Sharma
 2. Mohan Sharma, aged about 30 years S/o Ganesh Sharma
Resident of village –Rasulpur Habib Chandpura, P.S. - Jandaha, District – Vaishali.
- :-
- Petitioners

Versus

State of Bihar :- O.P.

Appearance :-

Learned counsel for the petitioner : - Sri Indrajeet Kumar, Advocate.

Learned P.P. for the State : Sri Shyam Babu Rai, P.P.

Learned counsel for informant : - Sri Uday Shankar Singh, Advocate

Present : Harshit Singh,
Sessions Judge, Vaishali.

Date of order : 30th: April 2026

The regular bail petition of the above named accused petitioners has been filed u/s 483 of B.N.S.S., who are in judicial custody since 08.04.2026 in connection with Desari P.S. Case No.146/2026 u/ss. 126(2), 115(2), 118(1), 303(2), 352, 351(2) of B.N.S..

Heard the learned counsel for the accused petitioners and learned Public Prosecutor for the State and perused the record.

It is stated in Para 2 of the bail petition that earlier no bail application either anticipatory or regular has been filed on behalf of the petitioner before this court of sessions or before the Hon'ble High Court, Patna.

The case of the prosecution in brief, as per fardbayan of informant Dinesh Rai is that on 05.04.2026 at about 12 noon when his son Avinash Kumar was coming to home after harvesting wheat from the field, on the way Bittu Sharma committed Mar-pit with his son. Thereafter his son came to home. It is further alleged that all the accused persons as named in the F.I.R. armed with deadly weapons came to his house and started assaulting his son Avinash Kumar and wife Ganita Devi. When the informant went to save, accused Bittu Sharma and Mohan Sharma assaulted on his head with farsa and rod and caused head injury. Accused Bittu Sharma assaulted with iron rod on the head of his son and caused head injury. All the accused persons also assaulted his wife and caused cut injury on thumb of her right finger. The local villagers assembled and they brought to informant at P.H.C. Desari and from

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where he was referred to Sadar Hospital Hajipur for better treatment. It is further alleged that Gold Jitiya and silver Chain were also snatched from the neck of informant's wife.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. The entire allegation is false and concocted. This case is counter blast of Desari P.S. Case No. 145/2026. All the alleged sections are bailable in nature except the sections 118(1) 303(2) I.P.C., which are super-addition. The accused petitioners have no criminal antecedent. Petitioners are in judicial custody since 08.04.2026. On these basis, prayer has been made to release the petitioners on bail.

Learned Public Prosecutor for the State opposed the prayer for bail of the petitioners.

Heard the parties. Perused the trial court record and the case diary. From perusal of the trial court record and the case diary, it transpires that there is allegation against the petitioners to assault the informant, his wife and son by means of farsa and rod. There is no repeated blow made by petitioners. This case is counter blast of Desari P.S. Case No. 145/2026. Para 21 of the case diary shows that on 15.04.2026 notice u/s 35(3) of B.N.S.S. was sent by I.O. to the accused persons including the petitioners through Chowkidar. Petitioners have no criminal antecedent as mentioned in Para 3 of the bail petition. Petitioners are in judicial custody since 08.04.2026.

The injury report and supplementary injury report of injured Dinesh Rai shows that he has **sustained** :

1. Lacerated wound (2 inches length x ½ inches wide x ¼ inches deep) right side on head.
2. Pain in chest (left side).

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As per X-ray report and C.T. scan report the said injuries are simple in nature caused by hard & blunt substance.

The injury report and supplementary injury report of injured Avinash Kumar shows that he has **sustained** :

1. Lacerated wound (1 inch length x 1/4 inches wide x 1/4 inches wide and 1/8 inches deep) mid part of head.

2. Pain in right side of back (lower part of chest),

3. Pain in left index finger.

As per x-ray report, the said injuries are simple in nature caused by hard & blunt substance.

The injury report of injured Anshika Kumari shows that she has **sustained** :

1. Pain in left palm, which is simple in nature caused by hard and blunt substance.

Considering the aforesaid facts and circumstances of the case as well as nature of allegations and the period of custody, the regular bail petition of the petitioners is allowed. Accordingly, the above named accused petitioners are directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned trial court.

(Dictated)

(Harshit Singh)
Sessions Judge, Vaishali

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Date of Order	30.04.2026
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