

In the Court of Sessions Judge, Vaishali

B.P. No. 617/2026

Bittu Kumar Sharma, aged about 35 years S/o Gorelal Sharma
Resident of village – Soharchi, P.S. - Jandaha (Mahisaur), District – Vaishali
:- Petitioner

Versus

State of Bihar

:-

O.P.

Appearance :-

Learned counsel for the petitioner : - Sri Aaruni Kumar Advocate

Learned P.P. for the State

: Sri Shyam Babu Rai, P.P.

Present :

Harshit Singh,
Sessions Judge, Vaishali.

Date of order : 04th. May 2026

The regular bail petition of the above named accused petitioner has been filed u/s 483 of B.N.S.S., who is in judicial custody since 20.04.2026 in connection with Jandaha P.S. Case No. 212/2026 registered u/ss. 191(2), 191(3), 126(2), 115(2), 109, 303(2) & 352 of B.N.S..

Heard the learned counsel for the accused petitioner and learned Public Prosecutor for the State as well as learned counsel for informant and perused the record.

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

The case of the prosecution in brief, as per written report of the informant Sandeep Kumar is that on 13.04.2026 at about 7 P.M. 10-12 people suddenly attacked on him, with intent to kill, in which Guddu Kumar Sharma and Ram Narayan Sharma assaulted with iron rod, due to which he sustained head injury. Accused Ram Sakal Sharma, Kantlal Sharma, Subodh Sharma, Vishwanath Sharma, **Bittu Kumar**, Pappu Kumar, Rohit Kumar Sharma and five other persons assaulted him with lathi, danda, due to which he sustained injuries and became unconscious. It is further alleged that accused Rekha Devi snatched gold chain from his neck and Kushum Devi snatched Rs.1850/- from his pocket. When her father Ram Vilash Sharma and elder brother Santosh Kumar Sharma came to save him, all the accused persons also assaulted them. He got his treatment in Jandaha Government Hospital.

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Learned counsel for the petitioner submits that the petitioner accused is innocent and has not committed any offence. He has been falsely implicated in this case. The entire prosecution case is false and concocted. No occurrence as alleged took place. There is no specific allegation against the petitioner. This case is counter blast of Jandaha P.S. Case No. 222/2026. Petitioner has no criminal antecedent. Petitioner is in custody in this case since 20.04.2026. Hence, prayer has been made to release the petitioner on bail.

Learned Public Prosecutor opposed the prayer for bail.

Heard the parties and also perused the trial court record and case diary. From perusal of the trial court record and case diary, it appears that there is allegation against the petitioner and co-accused persons that they collectively assaulted the informant, his father and brother and caused injuries to them. Petitioner is in judicial custody since 20.04.2026. Para 31 & 32 of the case diary shows that witness Ranjit Kumar Rai and Ashok Kumar Thakur have stated that occurrence of Mar-pit was occurred between the parties. No one was seen to take gold chain or money. The cause of occurrence as per these witnesses was that the accused party went to the informant's house to inform about Panchayati which was being held on following day, stating that informant's brother Saroj Kumar Sharma had ran away with Ram Narayan Sharma's daughter. On hearing, informant became enraged and began abusing them, which later on turned in to scuffle. Para 44 of the case diary shows that preventive action has been taken between both the parties.

The injury report of injured Sandeep Kumar Sharma shows that he has **sustained** :

- (i) Lacerated wound on left parietal head 1½" x 1/2" x 1/4"
- (ii) Refer to Sadar Hospital, Hajipur by reports – CT – Scans in Brain : – No significant neuroparenchymal abnormality detected, so that injury is simple in nature.

The nature of injury is simple, caused by hard blunt substance.

The injury report of injured Santosh Kumar Sharma shows that he has **sustained** : -

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- (I) Bruise with swelling on right hand Alna,
- (ii) Scratched mark on right hand Alna.
- (III) Refer to Sadar Hospital, Hajipur by X-ray of right hand Alna Reports is – No significant abnormality detected, so that injury is simple in nature.

The nature of injury is simple, caused by hard blunt substance.

The injury report of Ram Vilash Sharma shows that he has **sustained** :-

- (I) Abrasion on right leg knee 2" x 1/2"
- (ii) Abrasion on left leg knee 1/8" x 1/8"

The nature of injury is simple, caused by hard 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 petitioner is allowed. Accordingly, the above named accused petitioner is 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

Date of Order	05.06.2026
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