

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20202 of 2025

Arising Out of PS. Case No.-1 Year-2025 Thana- MANPUR District- West Champaran

1. Ajiju Rahman @ Ajijul Rahman @ Ajijur Rahman S/o- Late Armulah Miyan @ Armullah Miyan Village- Bhogadi Tola PS-Manpur Distt- West Champaran
2. Saibu Rahman @ Saibul Rahman @ Saibu S/o- Late Armulah Miyan @ Armullah Miyan Village- Bhogadi Tola PS-Manpur Distt- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Khusi Awadh, Adv
	:	Mr. Jitendra Narain Sinha, Adv
For the Informant	:	Mr. Bimlesh Kumar Pandey, Adv
	:	Mr. Mahtab Alam, Adv
For the Opposite Party/s	:	Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 26-05-2025 Heard learned Counsel for the petitioners and learned counsel for the informant as well as learned A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Manpur P.S. Case No. 01 of 2025 registered for the offences punishable u/s 191(2), 191(3), 190, 126(2), 115(2), 118(1), 117(2), 109, 76, 352, 351(2) and 351(3) of the B.N.S.

3. As per the prosecution case, the petitioners and the other co-accused persons are alleged to have assaulted the informant and his family members with Lathi, Danda and Iron Rod due to which they received grievous injury.



4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. It is further submitted that there are general and omnibus allegations against twenty named accused persons. It is next submitted that no specific allegation has been levelled against the petitioners and the injury report, which has been brought on record, also suggests that most of the injured persons have received simple injuries. It is also submitted that similarly situated co-accused persons have already been granted bail by a co-ordinate Bench of this Court vide order dated 20.05.2025 passed in Cr. Misc. No. 31890 of 2025. It is lastly submitted that the petitioner no. 1 is in custody since 08.01.2025 and the petitioner no. 2 is in custody since 07.01.2025 and both the petitioners have antecedent of three cases.

5. Learned counsel for the informant has vehemently opposed the prayer for bail and has submitted that the son of the informant, namely, Saheb Miya, has received grievous injury resulting in fracture of frontal bone and the petitioners also carry three criminal antecedents, hence, they should not be released on bail. It has also been submitted that from perusal of the case diary it is evident that the statement of the injured had not been recorded and the I.O. was acting in connivance with the accused



persons. Learned A.P.P. for the State has supported the submissions made by the learned counsel for the informant.

6. Considering the aforesaid submissions of the parties and taking into account the fact that there is general and omnibus allegation against the petitioners and similarly situated co-accused persons have already been granted bail by a co-ordinate Bench of this Court, let the petitioners above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, West Champaran, in connection with Manpur P.S. Case No. 01 of 2025, subject to the following conditions:-

(i) One of the bailors will be close relative of the petitioners.

(ii) The petitioners 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 two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioners will be liable to be canceled by the Court concerned.

(iv) If the petitioners are found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of their bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond



of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. The application stands allowed.

8. However, the Superintendent of Police, Bettiah, West Champaran, is directed to monitor the present case as the conduct of the I.O. of the present case looks doubtful because of the fact that there were several injured witnesses in the present case and from perusal of the case diary it is evident that the statements of the injured witnesses have not been recorded by the I.O. Since the investigation is still on, the Superintendent of Police, Bettiah, West Champaran, is directed to conduct an inquiry and ensure that the witnesses, especially those who were injured, are examined and their statements be recorded and a report shall be furnished before this Court, as early as possible.

(Sourendra Pandey, J)

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