

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27094 of 2025

Arising Out of PS. Case No.-155 Year-2024 Thana- Chhaudahi District- Begusarai

1. Manish Kumar @ Manish Yadav
 2. Subhash Yadav @ Subhash Kumar
- Both are son of Singheshwar Yadav, Resident of Ward No. 7, Village and Post Office- Pansalla, Police Station- Chhaurahi, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar, Advocate

For the Opposite Party/s : Mr.Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 07-05-2025 Heard learned counsel appearing on behalf of the petitioners and the learned APP for the State.

2. Petitioners seek pre-arrest bail in connection with Chhaurahi P.S.Case No.155 of 2024 registered for the offences punishable under Sections 126(2), 115(2), 74, 109(1), 303(2), 351 (2) and 3(5) of BNS, 2023.

3. As per the allegation made in the FIR, the petitioners along with the other co-accused persons assaulted the informant and his family members and at same time, the petitioner no.1 had misbehaved with the minor girl (daughter of the informant), while she was returning from tuition and the other co-accused persons have defended the said act of



petitioner no.1.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners have been made accused on the basis of incorrect accusation rather the sister-in-law of petitioners had lodged an FIR against the family members of the informant and her husband, in which her husband had sustained injuries. Learned counsel further submitted that on the basis of a concocted story, a false accusation has been levelled against the petitioner no.1 that he tried to molest the minor daughter of the informant. Learned counsel further submitted that no case under the POCSO Act has been lodged against the petitioners. Petitioner no.1 was in relationship with the daughter of the informant. Petitioner no.1 is aged about 21 years. The injuries sustained by the injured is simple in nature.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Having considered the rival submissions made on behalf of the parties, as well as, considering the allegation made in the FIR and the fact that the petitioner no.1 had attempted to do wrong with the minor daughter of the informant and Petitioner no.1 along with other co-accused persons has also assaulted the informant and his family members.



7. Considering the direct allegation against the petitioner no.1, I am not inclined to enlarge the petitioner no.1 (Manish Kumar @ Manish Yadav), however, considering his age, if so advised, he may surrender before the learned district court and seek regular bail by filing regular bail application.

9. The learned district court is directed to consider the regular bail application of the petitioner no.1 on the same day and pass necessary order in accordance with law on the basis of the evidences collected in course of the investigation.

10. So far as petitioner no.2 (Subhash Yadav @ Subhash Kumar) is concerned, in view of the general and omnibus allegation against him, he is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned district court within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Manjhaul, district Begusarai/concerned court, in connection with Chhaurahi P.S.Case No.155 of 2024, subject to conditions as laid down under Section 482(2) of BNSS of 2023.

11. The learned district court is directed to verify the criminal antecedent of the petitioners and if it is found that the



petitioners are involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.

12. The present bail application is accordingly disposed of.

(Purnendu Singh, J)

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