

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24577 of 2025

Arising Out of PS. Case No.-215 Year-2020 Thana- MUFFASIL District- West Champaran

Chhathu Manjhi Son of Late Wahir Manjhi @ Late Laxman Manjhi village-
Bishambharpur, Musahari Toli, PS- Bettiah Muffasil, District -West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Gupta, Adv

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 24-07-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with

Bettiah Muffasil P.S. Case No. 215 of 2020 registered for the

offences under Sections 341, 323, 324, 307, 379, 504 and

34 of the Indian Penal Code.

3. The petitioner is named in the F.I.R. and is in

custody since 27.12.2024.

4. The allegation against the petitioner is to assault

informant repeatedly by using *farsa* causing injury on face,

neck and over the eyes, which was inflicted with intention to

cause death of the informant, where occurrence took place



while informant found committing theft of fish from the pond of petitioner taken on lease.

5. Learned counsel appearing on behalf of the petitioner submitted that occurrence was free fight in nature, where both parties received injuries and for the same set of occurrence petitioner lodged a case which has been registered as Bettiah Muffasil P.S. Case No. 207 of 2020. If the manner of assault as alleged through FIR be accepted as alleged then certainly three injuries must be found on injured/informant, but upon medical examination only single injury was found. It is submitted that nature of injury may be one of the considerations but to gather intention to cause death as to make out a case under Section 307 of the IPC, other criteria also required to be considered essentially. In support of his submission learned counsel relied upon the legal report of Hon'ble Supreme Court as available through **Jage Ram and Others Vs. State of Haryana, [(2015) 11 SCC 366]**. While concluding the argument it is submitted that petitioner is a man of clean antecedent, and moreover, investigation has been completed, for which, charge-sheet has been submitted,



as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of aforesaid facts and circumstances as mentioned above and by taking note of fact as occurrence appears free fight in nature, negating prima-facie intention to cause death, coupled with the fact as petitioner is in custody since 27.12.2024, accordingly above named petitioner, is directed to be released on bail in connection with Bettiah Muffasil P.S. Case No. 215 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran, Bettiah/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S.

(Chandra Shekhar Jha, J.)

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