

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31474 of 2025

Arising Out of PS. Case No.-913 Year-2023 Thana- MANER District- Patna

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Bhisham Rai, S/o Nirmal Rai @ Nirmal Kumar, R/o Village- Dudhela, Maner,
P.S.- Maner, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prakash Chandra Jha, Advocate

For the Opposite Party/s : Mr. M.K. Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 21-05-2025 Heard learned Advocate appearing on behalf of the

petitioner and the learned Additional Public Prosecutor for the

State.

2. The petitioner apprehends his arrest in connection
with Maner P.S. Case No. 913 of 2023, registered for the
offences punishable under Sections 341, 323, 307, 325, 354,
379, 504, 506 and 34 of the Indian Penal Code.

3. Allegedly while the daughter of the informant was
going to attend the call of nature, in the mean time, two of the
co-accused persons made some objectionable remark, however,
when the same was objected, all the co-accused persons
including the petitioners assembled there with iron rod and other
weapons. It is specifically alleged that the petitioner assaulted
the daughter of the informant by means of iron rod due to which



she sustained severe injury. There is further allegation of assault against other persons and snatching of valuables.

4. Learned Advocate appearing on behalf of the petitioner contended that in fact, on account of a trifle both the parties have entered into a free fight, leading to injuries to the persons of both the sides and lodging of the case and counter case being Maner P.S. Case No. 4 of 2024, instituted by the family member of the petitioner's side. It is further contended that the alleged occurrence took place on 28.12.2023, but surprisingly the present FIR came to be lodged on 31.12.2023, without there being any plausible explanation of delay. So far the allegation that the petitioner has assaulted the daughter of the informant does not find support as the impugned order suggest that no injury report is available on record. It is lastly contended that other co-accused persons, who have also allegedly participated in crime, they have been allowed the privilege of anticipatory bail by the Court below itself.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that the petitioner specifically assaulted the daughter of the informant, leading to serious injury.

6. Regard being had to the submissions made on



behalf of the parties and considering the factum of case and counter case, coupled with the absence of the injury report, as also the fair antecedent of the petitioner, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Danapur, Patna in connection with Maner P.S. Case No. 913 of 2023, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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