

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33630 of 2025

Arising Out of PS. Case No.-485 Year-2023 Thana- BANIAPUR District- Saran

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1. Sikandar Manjhi S/O Suraj Manjhi
 2. Shila Devi W/O Suraj Manjhi
- Both are R/O Suraundha, P.S- Baniapur, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anjani Parashar, Advocate
For the Opposite Party/s : Mr.Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-05-2025 Heard Mr.Anjani Parashar, learned counsel for the
petitioners and Mr.Rajendra Singh, learned APP for the State.

2. After some arguments, learned counsel for the
petitioners seeks permission to withdraw this application with
respect to petitioner No.1,namely, Sikandar Manjhi with liberty
to the petitioner to surrender before the learned court below
within a period of four weeks from today and seek regular bail.

3. Permission is accorded.

4. The application is dismissed as withdrawn with
respect to petitioner No.1,namely, Sikandar Manjhi with the
liberty that petitioner No.1, namely, Sikandar Manjhi surrenders
and seeks regular bail before the learned court below, the same
shall be considered on the same day on its own merit in



accordance with law and without being prejudiced by any observation in the present order.

5. The petitioner No.2 apprehending her arrest in connection with Baniapur P.S. Case No.485 of 2023, dated 06.11.2023 registered for the offences punishable under Sections 147,149,341,323,324,307,354,379,504 and 506 of IPC.

6. Based upon the written report the prosecution alleges that while the informant was going to his Bathan, in the mean time the FIR named accused persons armed with deadly weapon surrounded him and started abusing. When objection was raised, all the accused persons brutally assaulted the informant and his family members. It is specifically alleged that co-accused person, namely, Ramendra Manjhi assaulted the nephew of the informant by means of iron rod over his head, due to which he sustained serious injury.

7. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. She has falsely been implicated in the present case. Although the petitioner is named in the FIR but from a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt-act attributed against the petitioner and there is case and counter case and both sides have received the injury.



8. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

9. Considering the aforesaid facts, petitioner has clean antecedent and there is no specific allegation of any assault or overt-act attributed against the petitioner, let petitioner No.2, above named, in the event of her arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Baniapur P.S. Case No.485 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.



(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his/her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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.

(Rajesh Kumar Verma, J)

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