

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38740 of 2025

Arising Out of PS. Case No.-55 Year-2025 Thana- DARAUNDA District- Siwan

Vivek Kumar Manjhi @ Vivek Kumar, S/o Late Shivpujan Manjhi, Resident
of Village- Ramchandrapur, Ps- Daraunda, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Kanhiya Kishor, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 25-06-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Daraunda P.S. Case No. 55 of 2025 dated 29.01.2025 instituted for
the offence punishable under Sections 25(1-b)a, 26(i), 35 of the
Arms Act.

3. Allegation against the petitioner is that one country
made pistol without cartridge was recovered from his medical
shop and also six motorcycles which were parked in front of his
medical shop were seized.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that at the time of occurrence, the
petitioner was not present in the medical shop. The recovery of



aforesaid articles was not made according to law. The petitioner has no concern with the said recovery. It is further submitted that the petitioner has been made scapegoat in this case on account of of business rivalry. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Daraunda P.S. Case No. 55 of 2025, he will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan subject to condition as laid down under Section 482(2) of the B.N.S. subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his



wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. 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.

5. The petitioner shall appear before the Police Station of his local area in the first week of each month till the framing of charge in this case.

(Khatim Reza, J)

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