

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37828 of 2025

Arising Out of PS. Case No.-189 Year-2024 Thana- SUPPI District- Sitamarhi

1. Mantosh Manjhi Son of Kamal Manjhi village - Dheng, P.S. - Suppi, Dist. - Sitamarhi
2. Kamlesh Manjhi @ Amlesh Manjhi Son of Jiyalal Manjhi village - Dheng, P.S. - Suppi, Dist. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Virendra Kumar, Advocate
For the State	:	Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-06-2025 Heard Mr. Virendra Kumar, learned counsel for the petitioners as well as Mr. Jagdhar Prasad, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Suppi P.S. Case No. 189 of 2024, F.I.R. dated 14.10.2024 for the offences punishable under Sections 103(1), 3(5) of the BNS, 2023.

3. According to prosecution case, the petitioners along with other co-accused persons are said to have assaulted the informant's husband and killed him.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that although the



petitioners are named in the FIR but from perusal of the FIR, it appears that there is no specific allegation of assault or overt act against the petitioners rather there is genral and omnibus allegation against all accused persons including the petitioners. It has come during investigation that one Ram Ishwar Manjhi (co-accused) has inflicted knife blow on the chest of the deceased who happens to be the husband of the informant. As per allegation, petitioner no. 2 has assaulted the informant by *lathi* but from the perusal of the FIR, it appears that a number of persons have assaulted the deceased by means of *lathi*.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners and submits that the petitioners are named in the F.I.R.

6. Considering the aforesaid facts and circumstances that petitioners have clean antecedent and there is no specific allegation of assault or overt act against the petitioners, the specific allegation of assault is against co-accused Ram Ishwar Manjhi, let the petitioners, above named, in the event of 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) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-XV, Sitamarhi in connection with Suppi



P.S. Case No. 189 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ 482 (2) of the BNSS, 2023 and with other following conditions:-

i. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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