

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48536 of 2025

Arising Out of PS. Case No.-225 Year-2024 Thana- NIMCHAKBATHANI District- Gaya

1. Badho Manjhi S/o Ramlal Manjhi
2. Shibu Manjhi S/o Badho Manjhi
3. Shivrindan Manjhi @ Shivam Manjhi S/o Badho Manjhi
All R/o vill - Bandi Tola Kalyanpur, P.S. - Neemchak Bathani, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vishwa Ranjan Choudhary, Advocate
For the Opposite Party/s : Mr.Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-08-2025 Heard Mr.Vishwa Ranjan Choudhary, learned
counsel for the petitioners and Mr.Mohammad Sufyan, learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Nimchak Bathani P.S.Case No.225 of 2024,
FIR dated 17.10.2024 registered for the offences punishable
under Sections 126(2), 115(2), 110, 352, 351(2), 351(3), 3(5)
added Sections 191(2),190, and 109 of B.N.S.

3. The prosecution case, in short, is that informant
Rita Devi was going to her house with Tuntun Manjhi in the
meantime accused petitioners were stopped near their house and
abusing him and started hitting to Tuntun Manjhi along with



other co-accused persons there after started abusing and assaulted the informant and Tuntun Manjhi. It is further alleged that Guddu Kumar and Renu Devi also came there and the accused persons also assaulted them.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in the present case. There is case and counter case. Although the petitioners are 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 these petitioners rather there is general and omnibus allegation against all the accused persons including the petitioners and the injury inflicted upon the informant's side is simple in nature.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioners and submits that the petitioners carry one more case other than the present one but fairly submits that the petitioners are on bail in the said case, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, there is case and counter case, there is no specific allegation of any assault or overt-act attributed against these petitioners in the FIR and the



injury inflicted upon the injured person is simple in nature, let the petitioners, above named, in the event of their 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 learned Judicial Magistrate, Gaya in connection with Nimchak Bathani P.S. Case No.225 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure 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 bonds shall be cancelled by the Court below.

(II) If the petitioners tamper 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 antecedents, 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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