

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45230 of 2025

Arising Out of PS. Case No.-166 Year-2025 Thana- MADHAURAH District- Saran

Upendra Kumar Manjhi @ Upendra Manjhi S/o Late Jay Mangal Manjhi
Village- Dhenuki, Ward no. 9, PS- Madhowrah, Distt.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar, Advocate

For the Opposite Party/s : Ms.Pushpa Sinha-1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-07-2025 Heard Mr.Vijay Kumar, learned counsel for the petitioner and Ms.Pushpa Sinha-1, learned Additional Public Prosecutor for the State. Learned counsel for the informant, who has suo motu appeared in the present case.

2. The petitioner is apprehending his arrest in connection with Marhaura P.S. Case No.166 of 2025, dated 16.03.2025 registered for the offences punishable under Sections 126(2), 115(2), 191(2), 191(3), 118(2), 117(3), 109, 352, 351(2) of Bhartiya Nyaya Sanhita, 2023.

3. Specific allegation against co-accused persons, namely, Karan Kumar and Niraj Kumar, who have teased two girls and further specific allegation against co-accused person, namely, Karan Manji is that he assaulted to the informant by



means of Bhala causing injury on his left chest and he also assaulted to the father of the informant by means of Farsa due to which his hand was cut and broken. Allegation against the petitioner is general and omnibus.

4. Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. It appears from the FIR that specific allegation against co-accused persons, namely, Karan Kumar and Niraj Kumar, who have teased two girls and as per allegation of assault is concerned from a bare perusal of the FIR it appears that specific allegation of assault is attributed against co-accused person, namely, Karan Manjhi. Although petitioner is named in the FIR but there is no specific allegation of any assault, overt-act or teasing both girls attributed against the petitioner.

5. Learned counsel for the informant and learned A.P.P. for the State have vehemently opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner carries two more cases other than the present one.

6. Considering the aforesaid facts, let the petitioner, above named, in the event of his 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 Marhaura P.S. Case No.166 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS,2023 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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