

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44558 of 2025

Arising Out of PS. Case No.-118 Year-2025 Thana- MANJHI District- Saran

1. Prahalad Prasad @ Prahalad Kumar son of Chhotan Prasad @ Chhotan Sahani Village -Gora (Goda) P.S- Manjhi District- Saran At Chapra Bihar
2. Amar Prasad @ Amar Sahani @ Amar Kumar Sahani son of Chhotan Prasad @ Chhotan Sahani Village -Gora (Goda) P.S- Manjhi District- Saran At Chapra Bihar
3. Chhotan Prasad @ Chhotan Sahani son of Late Bhiru Prasad @ Bhrigu Nath Prasad Village -Gora (Goda) P.S- Manjhi District- Saran At Chapra Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rakesh Kumar, Adv.
For the Opposite Party/s	:	Mr. Nityanand Tiwary, APP
For the Informant	:	Mr. Chandra Mohan Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 16-09-2025 Heard learned counsel for the petitioners and Mr. Nityanand Tiwawry, learned APP for the State as also learned counsel for the Informant. Perused the case diary.

2. The petitioners seek bail in connection with Manjhi P.S. Case No. 118 of 2025 instituted for the offences under Sections 115(2), 126(2), 118(1), 109, 352, 351(2), 351(3) & 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. As per prosecution case, the accusation against the petitioners is of assaulting the informant and his relatives by means of iron rod, *farsa* and sword with an intention to kill



them.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the present case due to village politics. Both the parties are agnates and there is an on-going land dispute between them. There is a case and counter case between the parties. The petitioner no.1 has three criminal antecedents and, in all of them, he is on bail. The petitioner no.2 has two criminal antecedents and in both of them, he is also on bail. The petitioner no.3 has one criminal antecedent in which he is on bail. The petitioners are languishing in judicial custody since 08.04.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of bail to the petitioners, stating that the offence alleged is serious in nature. It is further submitted that though the allegation against the petitioner no.1 is of abusing the informant but, the allegation against the petitioner no.2 is of assaulting the uncle of the informant Arvind Kumar by *farsa* due to which he sustained injury on his neck. There is also specific allegation of assault against the petitioner no.3 by means of iron rod upon the father



and uncle of the informant.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner no.1 having no specific allegation of assault, let the petitioner no.1, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Manjhi P.S. Case No. 118 of 2025.

7. However, there being allegation against the petitioner nos. 2 & 3 of assault by means of iron rod as also taking into account the period of custody undergone by the petitioner nos. 2 & 3, let the petitioner nos. 2 & 3, abovenamed, be released on bail, ***after framing of charge if not already framed***, on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Manjhi P.S. Case No. 118 of 2025, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner nos. 2 & 3.

(ii) The petitioner nos. 2 & 3 shall cooperate 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 in the event of failure on two consecutive dates without sufficient reasons, their bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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