

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45840 of 2025

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

1. Tarkeshwar Prasad S/o Chhotan Prasad @ Chhotan Sahani R/o Village-Gora (Goda), P.S- Manjhi, District- Saran At Chapra Bihar
2. Bhim @ Bhim Prasad @ Timal S/o Chhotan Prasad @ Chhotan Sahani R/o Village- Gora (Goda), P.S- Manjhi, District- Saran At Chapra Bihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar

For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 30-07-2025 1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Manjhi P.S. Case No. 118 of 2025 dated 07.04.2025 registered under Section 115(2), 126(2), 118(1), 109, 352, 351(2), 351 (3) & 3(5) of the Bharatiya Nyaya Sanhita 2023.

3. As per the first information report on 07.04.2025 in the morning while the informant was standing at his door, the petitioners along with other accused persons armed with sword, 'garasa', 'daab' and iron rod arrived there and started abusing the informant. Upon protest the petitioner no. 2 assaulted the informant with sword near his neck and the petitioner no. 1 assaulted the informant's uncle namely Arvind Kumar by means



of 'daab' due to which he sustained injury on his left hand.

4. Learned counsel for the petitioners submits that both the parties are co-villagers and there is previous enmity between them. A counter case has been lodged by the side of the petitioners against the informant and others bearing Manjhi P.S. Case No. 117 / 2025. F.I.R. lodged by the petitioners side is prior in time. The wife of the petitioner no. -1 gave an application before the Superintendent of Police, Saran on 15.04.2025 complaining about the conduct of Manjhi Police Station S.H.O. in changing the F.I.R. lodged by the side of the petitioners.

5. On the other hand Mr. Chandra Mohan Jha, learned counsel for the informant vehemently opposed the prayer for anticipatory bail and submits that there is specific allegation against the petitioners of assaulting the informant and his uncle. Both the victims have sustained grievous injury as per the injury report.

6. Regard being had to the submission made by the parties, taking into consideration the fact that there is specific allegation of assault against the petitioner no. 2 / Bhim @ Bhim Prasad @ Timal with sword on the neck of informant and the informant has sustained grievous injury, I am not inclined to grant



anticipatory bail to the petitioner no. -2. The prayer for anticipatory bail to petitioner no. 2 is rejected.

7. Insofar as allegation against petitioner no. 1 that he assaulted the uncle of the informant namely Arvind Kumar on his hand and the victim Arvind Kumar has sustained grievous injury near his index finger which is non vital part of the body and there is case and counter case between the parties, accordingly, I am inclined to grant anticipatory bail to the petitioner no. 1.

8. Let the petitioner no. 1, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate Ist Class, Saran at Chapra in connection with Manjhi P.S. Case No. 118 of 2025 subject to the condition as laid down under Section 482 (2) of the B.N.S.S. 2023.

(Anil Kumar Sinha, J)

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