

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48512 of 2025

Arising Out of PS. Case No.-50 Year-2025 Thana- Amhara P.S. (I.I.T.A. Bihta) District- Patna

Manoj Pathak @ Manoj Kumar Pathak S/o Bibhutesh Pathak @ Bibhutesh
Prasad Pathak R/o vill - Bilap, P.s. - IIT Amhara, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate
	:	Mr. Navin Sharma, Advocate
For the Informant	:	Mr. Shashank Chandra, Advocate
For the Opposite Party/s	:	Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-08-2025 Heard Mr. Krishna Prasad Singh, learned senior
counsel for the petitioner, Mr. Shashank Chandra, learned counsel
for the Informant and Mr. Anil Kumar, learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection
with IIT Amhara P.S. Case No. 50 of 2025, F.I.R. dated 29.0.2025
for the offences punishable under Sections 126(2), 115(2), 118(1),
109, 3(5) of the Bhartiya Nyay Sanhita, 2023.

3. As per the First Information Report, the informant
alleged that the petitioner along with other accused persons came
at his field where boundary work was in progress and assaulted
him and his family members.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the



present case. There is case and counter case between the parties. Although the petitioner is named in the FIR but it appears from the FIR that FIR is in two parts. In the first part there is specific allegation against co-accused, namely, Anand Mukund Pathak that he assaulted to the brother of the informant by means of *dabia* and in the second part there is allegation against the petitioner that he along with other accused persons assaulted to the informant which suggest that there is no specific allegation against the petitioner rather the allegation against him is general and omnibus in nature.

5. The learned Additional Public Prosecutor and learned counsel for the Informant have vehemently opposed the prayer for bail of the petitioner on the ground that later on injured person had suggested the name of the petitioner and apart from that the petitioner carries three criminal antecedents other than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the pending matters.

6. Considering the aforesaid facts and circumstances, there is no specific allegation against the petitioner, let the petitioner, 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) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial



Magistrate-I, Danapur, Patna in connection with IIT Amhara P.S.
Case No. 50 of 2025, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure / Section 482(2) of
the Bhartiya Nagarik Suraksha Sanhita 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 absence on two consecutive dates without sufficient
reason, his 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 criminal
antecedent, the court below shall take step for cancellation of bail
bond of the petitioner. However, the acceptance of bail bond 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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