

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52235 of 2025

Arising Out of PS. Case No.-179 Year-2024 Thana- BEERPUR District- Begusarai

MANISH CHAUDHARY @ MANISH KUMAR Son of Late Arjun Choudhary Resident of Village - Bharunanandpur, Ward No.- 05, P.S.- Birpur, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Braj Bhusan Poddar, Advocate
For the Opposite Party/s : Mr. Tapeswar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-08-2025 Heard Mr. Braj Bhusan Poddar, the learned Counsel

for the petitioner and Mr. Tapeswar Sharma, the learned

Additional Public Prosecutor for the State.

2. Petitioner seeks regular bail who is in custody since 19.03.2025, in connection with Birpur P.S. Case No. 179 of 2024, FIR dated 06.09.2024, registered for the offences punishable under Sections 191(2), 190, 115(2), 127(2) and 103(1) of the Bharatiya Nyaya Sanhita, 2023.

3. According to the prosecution case, on 06.09.2024, two individuals were caught by villagers while allegedly attempting theft at the house of Manoj Paswan. The villagers tied the two accused to a tree and assaulted them. A total of 11 named accused, including the petitioner, along with



60-70 unknown persons, allegedly beat the two apprehended persons brutally. Upon receiving information, the informant reached the spot and the villagers handed over the two accused-identified as Rahul Kumar and Mohit Kumar to the police. The informant took them to Birpur Primary Health Centre for treatment, where Mohit Kumar succumbed to the injuries during treatment.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he is in custody since 19.03.2025. The allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. It appears that the allegation in the F.I.R. against the named accused persons including the petitioner along with 60-70 unknown accused persons that they have brutally assaulted to the Rahul Kumar and Mohit Kumar, who were committed theft at the house of Manoj Paswan. He further submits that the similarly situated co-accused persons, namely, Sanjay Paswan and Purushottam Ray @ Purushottam Kumar, Raja Ram Paswan, Sandeep Kumar @ Sandeep Paswan and Deepak Paswan @ Abhay Kumar have been granted bail by different Co-ordinate Benches of this Court vide order dated 07.03.2025, 15.04.2025, 02.05.2025 and 09.05.2025 passed in



Cr. Misc. No. 11477 of 2025, 12245 of 2025, 88595 of 2024, 15511 of 2025 and 20055 of 2025 respectively.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the F.I.R. and he was participated in the present crime in question.

6. Considering the aforesaid facts, petitioner has clean antecedent, there is no specific allegation against the petitioner in the F.I.R. and the similarly situated co-accused persons have been granted bail by the Co-ordinate Bench of this Court, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned J.M.-1st, Begusarai in connection with Birpur P.S. Case No. 179 of 2024, subject to the following conditions:

(i). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the learned trial Court and shall remain physically present as directed by the learned trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the learned trial Court.



(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 learned trial Court 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 learned trial Court 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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