

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52917 of 2025

Arising Out of PS. Case No.-769 Year-2023 Thana- SHAHPUR PATORI District- Samastipur

Manjay Rai @ Abhimanyu Rai Son of Musafir Rai Resident of Village - Utri
Dumri, P.S.- Sahpur Patori, District - Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Adv.
For the State : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 27-11-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Sahpur
Patory P.S. Case No. 769 of 2023 corresponding to S.T. No. 195
of 2025 registered for the offences punishable under Sections
341, 323, 185, 187, 324, 307, 504, 506, 34 of the Indian Penal
Code and 27 of the Arms Act.

3. As per prosecution case, there is allegation against
the petitioner that he was a member of the group who demanded
extortion money from the informant's brother. It is further
alleged that co-accused Sadhu Rai @ Mukesh Kumar fired
twice from his pistol which hit upon the face of informant's
brother. Thereafter, petitioner along with other co-accused
persons threw the victim into a ditch.



4. Learned counsel for the petitioner submits that petitioner is innocent and has not committed any offence as alleged in the FIR and he has falsely been implicated in this case due to village politics. He further submits that petitioner is in custody since 21.12.2024 and bears no criminal antecedent. He further submits that there is no allegation of firing against the petitioner rather allegation of firing is against co-accused Sadhu Rai @ Mukesh Kumar and the injury report of victim also reflects that victim sustained two gun shot injuries, as mentioned in the impugned order. So far as petitioner is concerned, he has not in any way participated in the alleged occurrence of firing and the injury report does not corroborate the allegation made against the petitioners. He further submits that alleged occurrence took place on 17.12.2023 and FIR has been lodged on 21.12.2023 meaning thereby there is delay of about four days in lodging the FIR and no plausible explanation has been given regarding the said delay which questions the authenticity of the prosecution story. He further submits that charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner and submits that there is allegation of



demand of extortion as also throwing the victim in a ditch against the petitioner and hence, petitioner does not deserve bail.

6. Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, there is no allegation of firing against the petitioner, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV, Samastipur in connection with Sahpur Patory P.S. Case No. 769 of 2023 corresponding to S.T. No. 195 of 2025, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for



cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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