

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59089 of 2025

Arising Out of PS. Case No.-121 Year-2024 Thana- BARABAR TOURIST District-
Jehanabad

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1. Kanchan Kumar, S/o Anil Manjhi,
 2. Anil Manjhi, S/o Mahgu Manjhi,
Both are Resident of Village - Albelanagar, P.S - Barabar Prayatak, District -
Jehanabad

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-08-2025 Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

2. The accused/petitioners are named in the FIR and

apprehending their arrest in connection with Barabar Tourism

P.S. Case No.121 of 2024 registered under Section 103(i)

read with 3(5) of the Bhartiya Nyaya Sanhita, 2023 (in short

‘B.N.S.’).

3. Allegation against the petitioners to commit

murder of the husband of informant after criminal trespass to

her house on 16.12.2024 at about 8 p.m. for the occurrence

which took place near to grocery shop of village with one of



the co-accused on same day at about 6 p.m.

4. It is submitted by learned counsel appearing for petitioners that the allegation *qua* physical assault is appearing very much general and omnibus against the petitioners. It is pointed out that both petitioner no.1 is aged about 18 years, where petitioner no.2 is aged about 58 years and they are first time offender and they are men of clean antecedent. It is also submitted that as petitioner no.1 is the brother and petitioner no.2 is father of main co-accused Arun Manjhi with whom some altercation took place with deceased husband of informant on grocery shop of village, the petitioners were falsely implicated with present case with all family members.

5. Learned APP while opposing the prayer of bail submitted that the informant is the eye witness of the occurrence, where the occurrence took place after criminal trespass and after entering into the house of informant, whereafter husband of the informant was brutally assaulted by both these petitioners including other co-accused persons, who are none but, his brother and father. It is submitted that



the postmortem report appears in full corroboration suggesting death was caused due to internal injury. It is further pointed out that considering the nature of accusation and as investigation of this case is still open, this is not a case of anticipatory bail.

6. In view of aforesaid factual submissions and by taking note of fact as the informant is the eye witness of the occurrence, where occurrence took place after criminal trespass to the house of informant, where petitioners along with other family members brutally assaulted the husband of the informant, who died out of injuries, coupled with the fact that investigation of this case is still open, accordingly, the prayer of bail of both these petitioners stand rejected herewith.

(Chandra Shekhar Jha, J.)

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