

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.62587 of 2025**

Arising Out of PS. Case No.-139 Year-2025 Thana- PALIGANJ District- Patna

Manish Kumar Son of Late Ram Sundar Yadav Resident of Village- Bherharia  
English, P.S.- Paliganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |                                 |
|----------------------------|---------------------------------|
| For the Petitioner/s :     | Mr.Vinay Mistry, Advocate       |
| For the Opposite Party/s : | Mr.Damodar Prasad Tiwary, APP   |
| For the Informant          | Mr. Ashok Kumar Sinha, Advocate |

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

3      17-11-2025                      Heard learned counsel for the petitioner, learned  
A.P.P. for the State and learned counsel for the informant.

2. The petitioner seeks regular bail in connection with  
Paliganj P.S. Case No. 139 of 2025, instituted for the offence  
punishable under Sections- 191(2), 191(3), 190, 126(2), 115(2),  
109, 308(5) of B.N.S. and Section- 27 of the Arms Act.

3. As per prosecution-case, the informant's husband  
used to do labelling of vehicles. It is alleged that petitioner, co-  
accused Srinath Kumar, Vijay Kumar along with seven  
unknown persons came and demanded half share of the  
remuneration from the informant's husband and on refusal,  
accused Srinath Kumar took out a rifle from Scorpio vehicle and



handed over to petitioner and told to kill the informant's husband upon which petitioner fired at informant's husband. It is stated that informant's husband was referred to P.M.C.H. from Sadar Hospital, Paliganj.

4. Learned counsel for the petitioner submitted that though petitioner is said to have fired from his gun upon the informant's husband but injury report does not corroborate the said allegation made in the F.I.R. as the injury of informant's husband is found to be simple in nature caused by hard and blunt substance. The petitioner is in custody since 29.05.2025. Petitioner bears criminal antecedent of one case i.e. Paliganj P.S. Case No. 16 of 2009, mentioned in para-3 of the bail petition, in which he is on bail. Charge-sheet has already been submitted and there is no chance of tampering with the prosecution-evidence.

5. Learned APP for the State and learned counsel for the informant vehemently opposed the prayer for bail of the petitioner and submitted that there is direct allegation of firing against the petitioner upon the informant's husband. The petitioner also bears one criminal antecedent. As such, he does not deserve bail.

6. Considering the aforesaid facts and circumstances



of the case, period of custody, nature of injury is found to be simple in nature caused by hard and blunt substance, the arguments advanced on behalf of the parties 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. 25,000/- (Rupees Twenty-five thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M., Danapur in connection with Paliganj P.S. Case No. 139 of 2025 subject to the 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 in 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 witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iv) The learned trial court shall verify the criminal antecedent of petitioner, as it has been stated in para-3 of the bail petition that he has one antecedent and in case, at any stage,



it is found that the petitioner has concealed his criminal antecedent, the trial court shall take step for cancellation of bail-bond of the petitioner.

**(Alok Kumar Pandey, J)**

K.C.Jha/-

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