

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65169 of 2025

Arising Out of PS. Case No.-139 Year-2025 Thana- BAGHA District- West Champaran

Manish Kumar S/o Bhanu Mal R/o Village- Nawkatola, Bargaon, Ward No. 7,
Police Station- Bagaha, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kr Singh No. 1

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 07-11-2025 **1.** Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 126(2), 115(2), 109, 118(1),
303(2), 74, 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita and
later on Section 103 BNS was added.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant alleges
that on 24-5-2025 at about 6 am all the accused persons including the
petitioner came variously armed and entered the house of Bhagmani
Devi i.e. bhabhi of the informant, forcefully on account of previous
land dispute and abused her and also vandalised the house. It is next
alleged that Bhanu Mal took out jewellery and Rs. 80,000 after
breaking the almirah, when Bhagmani Devi objected, Sashi Bhushan
Mal pulled her hair and tried to take her out of the house and also



tore her clothes and blouse, further Ramakant Mal assaulted Bhagmani Devi by means of *khanti* causing injury on head, thereafter Rajan Mal assaulted Kashi Mal who came to rescue Bhagmani Devi by *lohbanda* causing injury on head while other accused also assaulted him. It is further alleged that Manish Mal assaulted Sahab Mal by means of an iron rod causing injury on his arms and the accused persons thereafter threatened Bhagmani Devi and others and also took away household articles and cash from almirah. It is next alleged that Bhagmani Devi was admitted at Sub-Divisional Hospital Bagaha for treatment where she died during the course of treatment.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case along with his family members. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that petitioner is alleged to have assaulted Sahab Mal by means of an iron rod causing injury on his arm. It is next submitted that injury has been opined to be simple in nature and is a non-vital part of the body. It is submitted that Jagarnath Mal along with three others had approached this court seeking regular bail by filing Cr. Misc No. 65279 of 2025 and the same was allowed by an order dated 7-11-2025. It is next submitted that petitioner is in custody since 24-7-2025 and charge sheet has been submitted. It is also submitted that petitioner will not abscond rather will cooperate in the trial to prove his innocence.

5. Learned A.P.P. for the State vehemently opposes the



prayer for bail of the petitioner.

6. Considering the submission made by learned counsel for the petitioner and taking into consideration the order dated 7-11-2025 in Cr. Misc No. 65279 of 2025, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bagaha PS case No. 139 of 2025.

7. However, it is made clear that in the event, if the learned trial court comes to a conclusion that petitioner after after his release, is trying to delay the framing of charge or after framing of charge is delaying the trial in any manner, in both the conditions the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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