

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73943 of 2025

Arising Out of PS. Case No.-84 Year-2024 Thana- AIRPORT District- Patna

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Doman Choudhary @ Doman Manjhi S/O Late Kadai Choudhary Resident of
Village- Murlichak, Jagdeo Path, Mushari, Rukanpura, P.S.- Hawai Adda,
District- Patna At Present - Mahuabag, P.S.- Rupaspur, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 02-12-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Hawai
Adda P.S. Case No. 84 of 2024 instituted for the offence under
Sections 103(1) & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. On 08.07.2024, the informant was told that her
husband had been killed by residents of Musahari. The
informant's husband hid in fear in the house of the Naulakha
Manjhi but was discovered and brutally assaulted by accused
persons including the petitioner.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 18.07.2025 Petitioner
bears one criminal antecedents, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. There is no specific allegation against the petitioner, rather allegation is general and omnibus in nature. The prosecution story appears to be a fabricated built upon a baseless allegation that the deceased was killed after being caught inside the house of co-accused Naulakha Manjhi. The informant, allegedly knowing intricate details despite being far away, raises doubts about the authenticity of her claims. The FIR seems to have been lodged after significant delay, with specific details suggesting external influence and false implication. Medical evidence contradicts the timeline given by the informant, further discrediting the story. Overall, the deceased's presence at an inappropriate place led to public outrage and mob assault, not a planned act by the petitioner. Charge sheet has already been submitted in this case. The co-accused person has already been granted bail by this Court vide order dated 29.07.2025 passed in Cr. Misc. No. 21701 of 2025.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. As per postmortem report, cause of death is due to injuries sustained by



hard and blunt substance. Other witnesses have supported the factum of the prosecution case.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner as also the claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Hawaii Adda P.S. Case No. 84 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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