

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83569 of 2024

Arising Out of PS. Case No.-433 Year-2023 Thana- MUNGER MUFFASIL District- Munger

Manish Choudhary @ Manish Kumar S/O Kishori Choudhary Resident of
Village- Ramgarh, P.S- Muffasil, Distt.- Munger, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Anand Kumar Tiwari, Advocate
For the Informant	:	Mr.Ankita Kumari, Advocate
For the State	:	Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

6 25-06-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the
offences under Sections 147, 149, 307, 323, 324, 325, 341, 379,
384 of I.P.C. and Section 27 of Arms Act.

3. As per the prosecution case, the informant has
alleged that the petitioner along with other co-accused variously
armed with deadly weapons, lathi/danda came there and
demanded Rs. 5,00,000/-. On objection being raised, the
petitioner is alleged to have fired upon the informant which
touched the little finger of the informant and in the meanwhile,
other accused persons assaulted the elder brother of the



informant causing serious injuries. It is further alleged that co-accused Ankit Kumar assaulted the cousin of the informant with iron rod resulting in fracture of both hands and thereafter he had also assaulted the informant on his head and subsequently, the accused persons fled away.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. Learned counsel further submits that there are general and omnibus allegation against all the named accused persons. It is next submitted that the allegation levelled against the petitioner is not corroborated by the injury sustained by the informant and other persons. Learned counsel further submits that all the other accused persons are on bail. Learned counsel next submits that even if the injury is taken into account the same was on a non-vital part of the body. It is lastly submitted that the petitioner has two criminal antecedents in which he is on bail and is in custody since 30.07.2024.

5. Learned counsel for the informant as well as learned APP for the State have jointly opposed the prayer for bail of the petitioner and submits that there is specific allegation against the petitioner to have assaulted the informant and fired upon him causing injury on his hand. Learned counsel for the



informant has pointed out that the informant had received three injuries on his body and as per the report the injuries are opined to be grievous in nature and hence, the petitioner should not be released on bail.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody, let the petitioner above-named be enlarged 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 the learned court below where the case is pending/successor court in connection with Muffasil P.S. Case No. 433/2023 subject to the conditions :-

- a. One of the bailors of the petitioner shall be his close relative.
- b. The petitioner shall remain physically present in Court on each date of the trial.
- c. In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.
- d. The court below is directed to verify the criminal antecedent of the petitioners and



the informat shall be at liberty to bring on record the criminal antecedent of the petitioner and after taking the same into account, the bail bonds of the petitioner shall be accepted and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the aforementioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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