

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79656 of 2025

Arising Out of PS. Case No.-298 Year-2024 Thana- FATUA District- Patna

Maniraj Kumar @ Bidur Kumar @ Vidur Kumar @Maniraj Son of Prayag Prasad Resident of Village - Kismiriya, P.S.- Fatuha, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kahkashan Alam, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 28-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Fatuha P.S. Case No. 298 of 2024 registered for the alleged offences under Sections 341, 323, 307, 354(b), 379, 504, 506 of the Indian Penal Code.

03. As per prosecution case, petitioner and other co-accused persons, variously armed, came to the doors of the informant and assaulted him, causing a number of injuries to him. The wife of the informant was also assaulted by this petitioner by means of *garasa* on her head, causing its fracture. The occurrence took place in the background of fact that the informant used to oppose the consumption of liquor at his doors by the accused persons.



04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The present case is counterblast of Fatuha P.S. Case No. 286 of 2024 which has been lodged by co-accused Deepak Kumar for the alleged offences under Section 307 and other allied sections of IPC and Section 27 of the Arms Act against the informant side. Two other co-accused persons have not been sent up for facing trial after investigation by the police and it shows the falsity of allegation. Though there is allegation of assault by *garasa* against this petitioner, the injury report of the victim shows an incised wound of size 2" x ½" with chipped of bone in right side of scalp. So, the injury does not appear to be serious. Learned counsel further submits that the true fact of the case is that, all of a sudden, a free fight broke out between the parties and both sides received injuries. There was no intention to cause death and this fact is apparent from the injury report which does not show any repeated blow. The petitioner is in custody since 31.07.2025 and charge-sheet has been submitted. The petitioner is having antecedent of one case in which he is on bail.

05. Learned APP for the State opposes the prayer for bail.



06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Patna City/court concerned in connection with Fatuha P.S. Case No. 298 of 2024, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three 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.

(Arun Kumar Jha, J)

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