

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79929 of 2025

Arising Out of PS. Case No.-40 Year-2020 Thana- MURAR District- Buxar

Manoj Prasad Sah @ Manoj Kumar Sah @ Manoj Kumar Sahu S/O Late Vishwanath Prasad Resident of Village- Ojhabaraw, P.S- Dumraon, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shreekant Pandey, Advocate
For the State : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-12-2025 Heard Mr. Shreekant Pandey, learned counsel for the petitioner and Mr. Ram Sevak Choudhary, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Murar P.S. Case No. 40 of 2020, F.I.R. dated 19.05.2020 for the offences punishable under Sections 147, 148, 149, 341, 323, 379, 308, 504, 506 of Indian Penal Code.

3. As per the First Information Report, due to petty dispute, the petitioner along with other co-accused persons assaulted to the uncle of the informant and they also took Rs.45,000/- and food items.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. From bare perusal of the FIR it appears that due to admitted land dispute the present occurrence has taken place and there is case and counter case between the parties and there is no specific allegation of assault or overt act against the petitioner. Only allegation against the petitioner is that he has called some persons who had assaulted the informant and similarly situated co-accused persons, namely, Nitesh Kumar Ojha, Kamlesh Ojha, Rajni Kant Shukla @ Anjani Kant Shukla, Manoj Prasad Shukla @ Manoj Shukla @ Manoj Kumar Garg and Triloki Shukla have been granted the privilege of anticipatory bail by this Court in Cr.Misc. No. 81184 of 2023, Cr. Misc. No. 42343 of 2024 and Cr. Misc. No. 70963 of 2024 vide order dated 10.01.2024, 14.08.2024 and 27.09.2024.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, the petitioner has clean antecedent and no specific allegation of assault is against the petitioner and similarly situated co-accused persons have been granted the privilege of anticipatory bail by



this Court, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Murar P.S. Case No. 40 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner 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 bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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