

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79041 of 2025

Arising Out of PS. Case No.-603 Year-2025 Thana- GARKHA District- Saran

1. Gabbar Manjhi S/o Late Suraj Manjhi R/O Vill.- Adhupur, P.S.- Saray Baksh, P.S.- Garkha, Dist.- Saran at Chapra- 841311
2. Vijay Manjhi S/O Late Suraj Manjhi R/O Vill.- Adhupur, P.S.- Saray Baksh, P.S.- Garkha, Dist.- Saran at Chapra- 841311
3. Ganesh Manjhi S/O Late Jhumak Manjhi R/O Vill.- Adhupur, P.S.- Saray Baksh, P.S.- Garkha, Dist.- Saran at Chapra- 841311

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jeetendra Narayan, Advocate
For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 03-12-2025 Heard Mr. Jeetendra Narayan, learned counsel

appearing on behalf of the petitioners and Mr. Bharat Bhushan,

learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection
with Garkha P.S. Case No. 603 of 2025 registered under
Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 109, 76,
303(2), 352, 351(2) and 351(3) of the Bharatiya Nyaya Sanhita
(BNS), 2023.

3. As per the allegation made in the FIR, due to
dispute between the parties over lane passage they entered into
free fight, causing injury to each other.



4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and they have falsely been implicated in the present case. There is case and counter case between the parties arising out of the same incidence. The allegations against the petitioners are general and omnibus in nature that the petitioners have assaulted different family members of the informant. The petitioners have clean antecedent. On these grounds, the petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, the fact that there is case and counter case between the parties arising out of the same incidence and a general and omnibus allegation has been levelled against the petitioners. The petitioners have clean antecedent. I am of the opinion that the petitioners have, *prima facie*, made out a case to be released on pre-arrest bail

7. The learned District Court is directed to release the petitioners on anticipatory bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/-



(Ten thousand) with two sureties of the like amount each, to the satisfaction of learned District Court where the case is pending in connection with Garkha P.S. Case No. 603 of 2025, subject to the condition as laid down under Section 482(2) of the B.N.S.S.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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