

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89334 of 2024

Arising Out of PS. Case No.-488 Year-2024 Thana- MOHANIYA District- Kaimur (Bhabua)

1. Manish Kumar @ Manish Ram Son of Sheo Muni Ram Resident of Village - Rasulpur Karmahari Ward No. 1, P.S. - Mohaniya, District - Kaimur
2. Abhay Kumar Son of Babulal Ram Resident of Village - Rasulpur Karmahari Ward No. 1, P.S. - Mohaniya, District - Kaimur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate
For the Opposite Party/s : Mrs. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-04-2025 Heard Mr. Krishna Prasad Singh, learned Senior counsel for the petitioners and Mrs. Sharda Kumari, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Mohania P.S. Case No. 488 of 2024, F.I.R. dated 30.07.2024 registered for the offences punishable under Sections 126(2), 115(2), 117(2), 109, 352, 351(2), 351(3), 3(5) of B.N.S.

3. Allegation against the petitioner is that they along with other co-accused persons have assaulted the informant and his family members due to which they sustained injuries.

4. Learned Senior counsel for the petitioners submits



that the petitioners are innocent and they have been falsely implicated in the present case. He further submits that due to previous dispute the present occurrence had taken place and there is case and counter case between the parties. Although, the petitioners are named in the F.I.R. and there is specific allegation against the petitioners that they have assaulted the informant and his family members but the injury report of the injured persons suggests that all the injuries inflicted upon the injured persons are simple in nature except one injury which inflicted upon Dharmendra Kumar which suggests swelling over left and right hand. Learned Senior counsel for the petitioners submits that the injury inflicted upon Dharmendra Kumar on his left and right hand and due to this reason the injury is grievous in nature and apart from that this is not on the vital part of the body of the injured person.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners and submits that the petitioners are involved in the present crime and apart from that the petitioners carry one more other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioners are on bail in the pending matters.

6. Considering the facts and circumstances of the



case, let the petitioners, above named, in the event of their 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Mohania, District- Kaimur in connection with Mohania P.S. Case No. 488 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their



criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds 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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