

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1428 of 2025

Arising Out of PS. Case No.-364 Year-2021 Thana- GAYA MUFASIL District- Gaya

1. Manoj Manjhi S/O Late Ganesh Manjhi Village- Gandhar Tola- Mathpar, P.S.- Mufassil, District- Gaya
2. Vikas Manjhi S/O Manjo Manjhi Village- Gandhar Tola- Mathpar, P.S.- Mufassil, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 11-08-2025 Heard Mr. Vishwa Ranjan Choudhary, learned counsel for the petitioners and Mr. Ashok Kumar Singh, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Mufassil P.S. Case No. 364 of 2021, F.I.R. dated 03.08.2021 for the offences punishable under Sections 457, 323, 337, 308, 354/34 of Indian Penal Code.

3. According to prosecution case, the informant alleged that one accused, namely Vikas Manjhi tried to outrage modesty of her daughter. When her daughter raised alarm, the informant went to save her daughter and called the accused family members. Thereafter, the petitioner along with other accused persons arrived and assaulted the informant and his family members.



4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. It appears from the FIR that there is no specific allegation of assault or overt act against these petitioners rather the allegation levelled against all the accused persons including the petitioners are general and omnibus in nature and similarly situated co-accused persons, namely, Kusum Devi and Sahodri Devi have been granted the privilege of anticipatory bail by co-ordinate Bench of this Court vide order dated 12.12.2024 in Cr. Misc. No.83152 of 2024.

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

6. Considering the aforesaid facts and circumstances, petitioners have clean antecedent and similarly situated co-accused persons have been granted the privilege of anticipatory bail by co-ordinate Bench of this Court, let the petitioners, 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) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gaya in connection with Mufassil P.S. Case No. 364 of 2021, 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. 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 bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, 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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