

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80410 of 2025

Arising Out of PS. Case No.-70 Year-2025 Thana- KIUL District- Lakhisarai

Manish Kumar @ Thotha S/O Upendra yadav R/O Village- Lakho Chak, P.S-
Kiul, Distt.- Lakhisarai, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amit Pandey, Advocate Mr. Rakesh Kumar, Advocate Mr. Prabhat Kumar, Advocate Ms. Ankita Kumari, Advocate
For the Opposite Party/s	:	Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 02-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Kiul P.S. Case No. 70 of 2025 registered for the alleged offences under Sections 126(2), 115(2), 109(1), 324(2), 329(3), 325, 125, 326(f), 303(2), 352, 351(3), 3(5) of Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

03. As per prosecution case, petitioner and other co-accused persons armed with weapons, came to the doors of the informant and started hurling abuses. When opposed, they assaulted the informant and damaged four bikes. They also opened fire on the house of the informant and set the house on



fire. The sister-in-law of the informant also received injuries. The occurrence took place in the background of suspicion of the assailants about the informant being police informer.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is no specific overt act attributed to the petitioner and the allegations are mostly general and omnibus. No motive or reason has been given for petitioner and other co-accused persons attacking the house of the informant. Except for confessional statement, there is no material against the petitioner. Search and seizure has not been made properly following the procedure of law. The petitioner is having antecedent of three cases and is in custody since 19.08.2025. Charge-sheet has been submitted.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that there is no specific over act attributed to the petitioner and further 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 Chief Judicial Magistrate, Lakhisarai/court concerned in connection with Kiul P.S. Case No. 70 of 2025, 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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