

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90243 of 2024

Arising Out of PS. Case No.-195 Year-2024 Thana- CHIRAIYA District- East Champaran

Manishek Kumar S/O Ramsagar Prasad Resident of Village- Manguraha, P.S-
Chiraiya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar
For the Opposite Party/s	:	Mr. Madhuri Lata
For the Informant	:	Mr. Shashank Shekhar

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 31-10-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Chiraiya P.S. Case No. 195 of 2024 dated 05.05.2024 registered for the offences punishable u/ss 341, 323, 324, 325, 307, 379, 504, 506 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the co-accused, Ram Sagar Prasad is alleged to have borrowed iron steel and cement of Rs. 1,03,652/- from the informant for the period of one month. After laps of the said period, the co-accused, Ram Sagar Prasad did not return his money. On 05.05.2024, the petitioner and the co-accused persons armed with weapons came to the



house of the informant and started abusing. The co-accused, Ram Sagar Prasad assaulted the informant with iron rod due to which his hand got fractured and when the informant's wife came to rescue him, the petitioner, Manishek Kumar assaulted her with *farsa* causing head injury. The co-accused, Ravishek Kumar assaulted the informant's brother causing head injury. The co-accused, Abhishek Kumar assaulted Rina Devi with *farsa* due to which she sustained head injury. The co-accused, Nitesh Kumar assaulted the informant's daughter with iron rod due to which her hand got fractured. The co-accused, Usha Devi assaulted the informant's father with iron rod causing injury. All the accused persons entered the house of the informant and looted his house hold articles like cloths, ornaments etc. worth of Rs. 10,00,000/-. Thereafter, the injured were taken to the hospital for treatment.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. As per the injury report, the injury is simple in nature. The other co-accused person has already been granted regular bail by this court vide order dated 13.08.2024 passed in Cr. Misc. No. 51790/2024. The petitioner



has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State as well as learned counsel for the informant has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Sikrahna at Dhaka, East Champaran in connection with Chiraiya P.S. Case No. 195 of 2024, subject to conditions as laid down under section 482(2) of the B.N.S.S., with further condition:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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