

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.866 of 2025

Arising Out of PS. Case No.-333 Year-2024 Thana- PAKARIBARAW District- Nawada

Dasrath Manjhi @ Akhilesh Manjhi Son of Late Sure Manjhi Resident of
Village - Dumrawan Mushari Pathar Chauk, Police Station - Pakribarawan,
District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Adv.

For the Opposite Party/s : Mr.Dr. Indiwari Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 21-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Pakribarawan P.S. Case No. 333 of 2024 instituted for the
offences under Sections 126(2), 115(2), 109, 118(1), 117(2),
324(2), 351(2), 352, 3(5) of the B.N.S., 2023.

3. As per prosecution case, the accusation against the
accused persons including the petitioner is of assaulting the
Informant and his family members by means of iron rod, *lathi*,
khanti, stick etc. due to which all the injured persons sustained
injuries on their bodies. It is alleged that the petitioner assaulted
the Informant by means of iron-rod, causing grievous head
injury.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to village politics. Both the parties are co-villagers. He further submits that there is general and omnibus allegation of assault against all the seven accused persons including the petitioner by means of *lathi* and rod and, hence, Sections 19 and 118 of the B.N.S. are not attracted against the petitioner. Both the parties are *Gotiya* and next door neighbor. He further submits that from the impugned order, only one injury has been found upon the Informant. He further submits that co-accused Sadabriksh Manjhi, Mithun Manjhi, Kaila Manjhi, Dharmendra Manjhi and Lotha Manjhi have already been granted bail by the court below itself. The petitioner has no criminal antecedent and is languishing in judicial custody since 31.07.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that there is direct allegation of assault by iron rod upon the Informant's head due to which he sustained grievous head injury and, hence, he does not deserve bail. Charge-sheet has also been submitted in this case under under Sections 126(2), 115(2), 109, 118(1), 117(2), 324(2), 351(2), 352, 3(5) of the



B.N.S., 2023.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Court below/concerned Court in connection with Pakribarawan P.S. Case No. 333 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

