

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4077 of 2026

Arising Out of PS. Case No.-100 Year-2003 Thana- BARACHATTI District- Gaya

Baishakhi Manjhi S/o Balak Manjhi @ Bulak Manjhi R/o vill - Naradih
(Bhuyan Tola), P.S.- Mohanpur, Distt.- Gayaji, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate
For the State : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-01-2026 Heard Mr. Shailesh Kumar Singh, learned counsel for
the petitioner and Mr. Ganesh Prasad Singh, learned APP for the
State.

2. Petitioner seeks bail, who is in custody since
09.07.2025, in connection with Barachatti (Mohanpur) P.S. Case
No. 100 of 2003, F.I.R. dated 10.08.2003 registered for the
offences punishable under Sections 147, 148, 149, 341, 323, 448,
354, 307 of the Indian Penal Code and Section 4 of Bihar Dayan
Witch Prohibition Act, 1999.

3. Allegation against the petitioner is that he along with
other FIR named accused persons and 50-60 unknown persons
came to the house of the informant and said that due to magic done
on one Tulsi Manjhi due to which he died. After that all accused
persons assaulted the informant and her mother and unclothed her



mother.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. Although the petitioner is named in the F.I.R. but from perusal of the F.I.R. it appears that there is no specific allegation of any assault or overt act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner and the injury inflicted upon the injured person is simple in nature. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 09.07.2025.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and there is no specific allegation of any assault or overt act attributed against the petitioner in the F.I.R., let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate,



Sherghati, Gaya in connection with Barachatti (Mohanpur) P.S.
Case No. 100 of 2003, subject to the following conditions :-

(1) Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers 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 petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. 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)

Ibrar//-

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

