

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16372 of 2026

Arising Out of PS. Case No.-80 Year-2025 Thana- SHIVAJINAGAR District- Samastipur

1. Manjay Dhami S/o Ramchandra Dhami R/o Village- Parshuram, P.S.- Hathauri, District- Samastipur
2. Jangali Dhami @ Jangali Kurari S/o Indal Kurari R/o Village- Makshudpur, P.S.- Hayaghat, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 21-04-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for bail in connection with Shivajinagar P.S. Case No. 80 of 2025 registered for the offence punishable under Sections 105, 123 and 3(5) of the B.N.S., 2023.

3. The case of the prosecution, in short, is that one child has died due to food poisoning. The villagers disclosed that these two petitioners were seen in the suspicious circumstances.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have been falsely implicated in this case. He further submits that from perusal of the FIR, it will



transpire that the date of occurrence is 06.09.2025, whereas the FIR was lodged on 06.10.2025 after a delay of one month and the delay is not explained. He further submits that during the course of investigation in paragraph 39 of the case diary, the doctor has stated that villagers disclosed to him that three boys had consumed poisonous '*laddu*,' due to which one died. He further submits that from perusal of the postmortem report also, it is clear that the opinion regarding cause of death is reserved and viscera was preserved. He further submits that there was no motive for these petitioners to commit such an offence, and the only material against them is that they were seen having bags, but in the entire investigation, the bags which were being carried by the petitioners were not recovered or seized by the police. The case of the prosecution is based solely on the suspicion. Moreover, a statement has been made in para 3 of the petition that petitioners have no criminal antecedent and they are languishing in judicial custody since 07.10.2025.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail



bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Rosera, Samastipur in connection with Shivajinagar P.S. Case No. 80 of 2025.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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