

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46463 of 2026

Arising Out of PS. Case No.-795 Year-2024 Thana- BIDUPUR District- Vaishali

Manoj Kumar, S/o Ram Prasad Rai, R/o Village- Hilalpur, P.S- Industrial Area, District- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ajay Kr. Thakur, Advocate
: Mr. Purushottam Kumar, Advocate
: Mr. Abhijeet Chandra, Advocate
For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 29-07-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Bidupur P.S. Case No.795 of 2024 registered under Sections 318(4), 338, 336(3), 340(2), 61(2), 111, 3(5) of the Bharatiya Nyaya Sanhita, 2023 (in short 'BNS').

3. As per FIR, a police raid was conducted in the house of petitioner, suspecting that petitioner was the associate of land Mafia, namely, Dilip Kumar son of Kamleshwar Rai, while during raid certain documents related with land transaction was seized from the house of



petitioner.

4. It is submitted by Mr. Ajay Thakur, learned counsel appearing for the petitioner that the alleged raid was took place on 01.12.2024, but the FIR in issue was lodged on 08.12.2024 i.e., after 8 days, without having any just explanations. It is further submitted that from FIR, it can be gathered safely that the seizure items which were recovered from the house of this petitioner, starting from Serial No. 14 to 38 are personal documents belongs to petitioner like his resume, joining letter, pan card, aadhar card etc., whereas from Serial No. 1 to 13 certain online land receipts and two or three agreements were seized from house of this petitioner. It is further submitted that nothing was gathered from the house of this petitioner or from of the FIR, to suggest that the petitioner was associate of main co-accused, namely, Dilip Kumar against whom the thrust of allegation is available.

5. Arguing further, it is submitted that the reason for implications of this petitioner is also his criminal antecedent as he found involved in three more criminal cases



of similar nature, where he is on bail. It is also pointed out that petitioner found involved in one more criminal case of different nature related with Excise Act, where he is on bail.

6. Learned APP opposes the prayer of bail.

7. In view of aforesaid factual submissions and by taking note of fact as maximum documents appears seized from the possession of this petitioner is his personal documents, where FIR *prima facie* failed to connect this petitioner with main co-accused, namely, Dilip Kumar as discussed aforesaid, accordingly, the petitioner above-named, is directed to be released on bail, in the event of his arrest or surrender in the court below within a period of four weeks, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class-cum-Addl. Munsif- 1st , Vaishali at Hajipur in connection with Bidupur P.S. Case No.795 of 2024, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS subject to further conditions:-

(i) That petitioner shall not indulge in similar



nature of case till the conclusion of trial, failing which informant/State shall be at liberty to press before the learned trial court itself for the cancellation of bail bond of the petitioner, after giving opportunity of hearing to the petitioner.

(ii) That after framing of charge petitioner shall remain physically present on each and every date of hearing before the learned trial court till conclusion of trial.

(Chandra Shekhar Jha, J.)

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