

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33427 of 2026

Arising Out of PS. Case No.-541 Year-2025 Thana- MASHRAK District- Saran

Dinesh Manjhi @ Bihari Manjhi, S/o Subhash Manjhi, Resident of Village-
Madarpur, P.S.- not given, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar, Advocate Ms. Rajani Kumari, Advocate
For the Opposite Party/s	:	Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 19-05-2026 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State through virtual mode.

2. The petitioner is apprehending his/her arrest in connection with Mashrakh P.S. Case No. 541 of 2025 registered for the offence(s) under Section(s) 317(5) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (B.N.S.).

3. As per the prosecution case, the police personnel during patrolling duty, got secret information that Dinesh Kumar Manjhi (petitioner) has kept a stolen motorcycle and is trying to send it through his nephew, co-accused, namely Vikash Kumar. The police conducted a raid, however, it is stated that the petitioner managed to escape and the other co-accused namely Vikash Kumar was apprehended and disclosed that this



motorcycle was brought by Dinesh Kumar Manjhi.

4. The learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case merely on the basis of the statement given by the co-accused Vikash Kumar, which has no evidentiary value in eyes of law. It has further been submitted that the petitioner was not apprehended and in fact, it was the said Vikash Kumar, who was apprehended with the stolen motorcycle. It has lastly been submitted that the petitioner carries two criminal antecedent but they are under Excise Act and the petitioner is on bail in both the cases.

5. The learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner, above-named, be released on anticipatory bail, in the event of his/her arrest or surrender before the concerned Court/successor Court within a period of four weeks from today, on his/her furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court/successor Court where the case is pending in connection with Mashrakh P.S.



Case No. 541 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 read with corresponding Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.S.) as well as subject to the following conditions :

(i) One of the bailors of the petitioner shall be his/her close relative and the other shall be a local resident.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the concerned Court.

(iv) If the petitioner, in future, is found to be involved in similar nature of offence(s), the prosecution shall be at liberty to move for cancellation of his/her bail bonds.

(v) The concerned Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that he/she has concealed his/her criminal antecedents, the Court concerned shall take necessary steps for cancellation of his/her bail bond. 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.

(vi) In view of the antecedents of the petitioner, the petitioner is directed to appear before the concerned Superintendent of Police within fifteen (15) days of his/her release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the



petitioner will be kept under watch in this period by the concerned Superintendent of Police and if it is found wanting in any respect, a report shall be made to the Court concerned by him/her to initiate a proceeding for cancellation of bail of the petitioner for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the Court concerned.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

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