

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37543 of 2026

Arising Out of PS. Case No.-857 Year-2025 Thana- BODHGAYA District- Gaya

1. Santosh Manjhi S/o Ramdahin Manjhi R/o Village - Tekuna, P.S - Bodhgaya, District - Gaya
2. Bhotiya Manjhi @ Bhotiya Kumar S/o Ramdahin Manjhi R/o Village - Tekuna, P.S - Bodhgaya, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-06-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 190, 191(3), 126(2), 115(2), 121(1), 121(2), 132, 109, 352 of the Bharatiya Nyaya Sanhita.

3. Learned counsel for the petitioners submits that petitioner no. 1 has antecedent of one case and petitioner no. 2 is a person with clean antecedent and the informant alleges that police force had gone to arrest Lalu, Sasntosh, Sukhdev and others in connection with Bodhgaya PS Case No. 213 of 2025 dated 22-3-2025 on 23-12-2025, further Lalu was apprehended, but all of a sudden 11 named accused persons including the petitioners along



with women came and assaulted the police force and freed Lalu, further Jitendra and petitioner no. 2 assaulted the informant by lathi and rod causing injury on palm of left hand and cut injury on finger of right hand, further on account of assault by other accused persons, the SI along with Constables and Hawaldar got injured as detailed in the FIR.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that even presuming what has been alleged is true without admitting then there is no specific allegation of assault against the petitioner no. 1 though the informant alleges that Jitendra and petitioner no. 2 assaulted the informant by lathi causing injury, but then the injury suffered by the injured has been opined to be simple in nature, it is next submitted that since petitioner no. 1 is an accused in Bodhgaya PS Case no. 213 of 2025 dated 22-3-2025, hence he also came to be implicated in the instant case with general and omnibus allegations.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that there is a specific allegation against the petitioner no. 2 of assaulting the informant and others along with Jitendra causing injury. It is next submitted that if privilege of anticipatory bail is granted to the petitioner No. 2 in that event it would be presumed that accused can be let off lightly even if they assaulted the police force and freed an apprehended accused and



thus created obstruction in discharge of official duties but then the learned APP fairly submits that no specific allegation of assault is alleged against the petitioner no. 1 rather the allegation against him is general and omnibus in nature.

6. After hearing the learned counsel for the parties, petitioner no. 1, above named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bodhgaya P.S. Case No. 857 of 2025, subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. However, the Court is not inclined the extend the privilege of anticipatory bail to the petitioner no. 2, as such the prayer for anticipatory bail of the petitioner no. 2 is rejected.

8. Accordingly the anticipatory bail application is partly allowed.

(Satyavrat Verma, J)

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