

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38873 of 2026

Arising Out of PS. Case No.-4 Year-2026 Thana- Banma Itahari District- Saharsa

Manoj Sada S/O Budhan Sada R/O-Village- Sarbela, Ward No. 13/14, P.S
-Banma Itahari, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr.Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-06-2026 Heard Mr.Ranjeet Kumar Singh, learned counsel for
the petitioner and Mr.Abhay Kumar, learned A.P.P. for the
State.

2. The petitioner seeks bail, who is in custody since
07.01.2026 in connection with S.T.No.138/2026 arising out of
Banma Itahri P.S. Case No. 04 of 2026, F.I.R. dated 06.01.2026
registered for the offence punishable under Sections 115(2),
118(2), 126(2), 109, 329(4), 333, 118(1), 352, 51(2)(3) of BNS
and Section 27 of Arms Act.

3. As per FIR, allegation against the petitioner is that
he alongwith his associates co-accused tried to abduct the
informant and when the informant objected then the co-accused
caused a gun-shot injury to the informant.

4. Learned counsel appearing for the petitioner



submits that the petitioner has clean antecedent. It appears from the FIR that the informant himself stated that due to admitted land dispute, the present occurrence has taken place. Although, the petitioner is named in the FIR but from a bare perusal of the FIR it appears that co-accused person, who accompanied with the petitioner, has fired upon the victim(informant) and there is no specific allegation of any assault, overt-act or firing attributed against the petitioner. The police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 07.01.2026.

5. Learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid fact, petitioner has clean antecedent and there is no specific allegation of any assault, overt-act or firing attributed against the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Principal District and Sessions Judge, Saharsa in connection with S.T.No.138/2026 arising out of Banma Itahri P.S. Case No. 04 of 2026, with the following conditions:-

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

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) 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 antecedent, 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)

Nitesh/-

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