

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44861 of 2026

Arising Out of PS. Case No.-27 Year-2026 Thana- PATEPUR District- Vaishali

MANOJ KUMAR Son of Shiv Shankar Ray @ Shankar Ray Resident of
Village- Bardiha Turki, P.S.- Patepur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nafisu Zzoha, Advocate
		Ms. Shabina Talat, Advocate
For the Opposite Party/s :		Ms. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 08-07-2026 Heard the learned counsel for the petitioner and the
learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection with Patepur P.S. Case No. 27 of 2026 for allegedly having committed offences under Sections 191(2), 190, 126(2), 115(2), 303(2), 352, 351(2) and 109 of B.N.S., 2023.

3. As per the prosecution story, which has been lodged on the basis of the written report submitted by the informant, to the effect that her husband namely Sanjay Rai had given Rs.1,00,000/- for sand and stones to his co-villager Manoj Rai (petitioner herein). When the husband of the informant went to the house of the petitioner to enquire about the delivery of sand and stone, all the accused persons, including the petitioner,



armed with lathi, danda and sharp cutting weapon started assaulting the husband of the informant. It is alleged that the petitioner assaulted the husband of the informant with Hasua on his head, due to which blood started oozing out. When the informant went to save her husband, the petitioner also assaulted her with Hasua on her head, due to which she sustained injuries. It has further been alleged that co-accused, Nisha Kumari snatched gold chain from the neck of her husband and co-accused, Shiv Shankar Rai snatched Rs.40,000/- from the pocket of the husband of the informant.

4. The learned counsel for the petitioner submits that the entire prosecution allegation, levelled in the First Information Report, are false and fabricated. He further submits that for the same occurrence, the petitioner herein had earlier lodged Patepur P.S. Case No.18 of 2026 under different sections of the B.N.S. wherein the informant and others have been made accused. The present case is the counter blast of Patepur P.S. Case No.18 of 2026. Further some of the co-accused have been granted the privilege of anticipatory bail by the learned Sessions Judge, Vaishali. He further submits that the injuries sustained by the injured have been found to be simple in nature.



5. *Per contra*, the learned APP appearing on behalf of the State opposes the prayer for grant of anticipatory bail to the petitioner and submits that the petitioner had assaulted the husband of the informant with Hasua on his head, due to which he sustained injuries.

6. Having considered the rival submissions and after going through the records, it appears that the specific allegation against the petitioner is that he assaulted the husband of the informant on his head with a Hasua, however the impugned order passed by the learned Sessions Judge, Vaishali in A.B.P. No.1393/2026 would suggest that the injury of Sanjay Rai shows that he had sustained normal injury and so far the informant is concerned, the injuries have been found to be simple in nature caused by sharp object. Further there is case and counter case and the present First Information Report is a counter blast of Patepur P.S. Case No.18 of 2026 lodged by the petitioner herein.

7. Taking into consideration the facts aforesaid, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks, be released on bail 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



Chief Judicial Magistrate, Vaishali in connection with Patepur P.S. Case No.27 of 2026, subject to the conditions laid down under Section 482(2) of the B.N.S.S with a further condition that:-

The learned court concerned 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 concerned shall take steps for cancellation of his bail bond. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J.)

Sanjay/-

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