

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45173 of 2026

Arising Out of PS. Case No.-110 Year-2017 Thana- SAHEBGANJ District- Muzaffarpur

Manoj Kumar @ Manoj Kumar Singh S/O Ramchandra Singh Resident Of
Village- Dulmagosaipur, Ps.- Dulma, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Nafisu Zzoha, Adv
	:	Ms. Shabina Talat, Adv
	:	Mr. Mirza Ahraz Baig, Adv
	:	Mr. Nasar Iqbal, Adv
For the Opposite Party/s :	:	Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-07-2026

Heard the parties.

2. The petitioner is named in the complaint petition and apprehending his arrest in connection with Sahebganj P.S. Case No.110/2017 registered for the offences punishable under Sections 460, 420, 465, 468, 269 and 270 of the Indian Penal Code.

3. As per complaint, the petitioner sent complainant for her blood test in the laboratory of one co-accused Rajesh Kumar, where report suggested deficiency of blood, where after during blood transfusion, the daughter of informant contacted HIV, for which exorbitant amount of Rs.12,351/- was charged from the complainant. It is claimed that prior to blood transfusion the daughter of informant was HIV negative, as per blood report of the laboratory of co-accused Rajesh Kumar.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner implicated with the present crime in



question only for the monetary disputes. It is submitted that admittedly blood transfusion was not done by this petitioner. It is submitted that present complaint was lodged with the delay of 54 days, which is sufficient to suggest that implication of this petitioner was made as an afterthought. It is submitted that nothing transpired on record, which may make out a case for the offences punishable under Sections 406, 420, 465 and 468 of the IPC, whereas allegation *qua* negligent act, which may spread infection of disease dangerous to life and malignant act likely to spread infection of disease dangerous to life i.e., for the offence punishable under Section 269 and 270 of the IPC are bailable in nature. Petitioner claimed clean antecedent.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as crux of allegation suggest prima-facie offence punishable under Section 269 and 270 of the IPC, which appears bailable in nature, whereas prima-facie the allegation as raised through complaint petition prima-facie not appearing sufficient to make out a case under Section 406 and 420 of the IPC, coupled with fact as complaint was lodged with the delay of 54 days, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned ACJM 2nd West, Muzaffarpur/concerned Court, where the case is pending in connection with Sahebganj P.S. Case No.110/2017, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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