IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64031 of 2026

CNR No. BRHC010903232026

Arising Out of PS. Case No.-81 Year-2026 Thana- NALANDA District- Nalanda

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Biresh Manjhi @ Viresh Manjhi son of Late sirchand Manjhi Resident of Village- Bargaon Musahari PS -Nalanda District -Nalanda

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Pramod Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

3 30-10-2026 Heard learned counsel for the petitioner and learned APP for the State.

02. In the present case, the petitioner seeks bail in connection with Nalanda P.S. Case No. 81 of 2026 registered for the alleged offences under Sections 103(1) of the Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, the deceased husband of the informant entered into an altercation with his wife (the informant) and the petitioner, a neighbor, presumed that he was being abused, intervened and assaulted the husband of the informant and hit him with a brick on his head and navel. The husband of the informant got injured and died in the same night.

04. Learned counsel for the petitioner submits that the

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petitioner is innocent and has been falsely implicated in this case. From the FIR, it is clear that the quarrel was between husband and wife and the petitioner went to pacify them, but, in the scuffle, the husband of the informant received some injuries and subsequently died for want of treatment. Learned counsel further submits that, moreover, allegation against the petitioner is that he hit the husband of the informant with brick on his head and navel but there is no injury on the navel and the injury on the head is merely a lacerated wound of size 2 cm x 1 cm and there is not even a fracture. The death has perhaps been caused due to injury in thorax which is fracture of sternum with blood clots present. Learned counsel further submits that even if the allegation is taken to be completely true, there was no intention to cause death and it is not a case of culpable homicide amounting to murder. Learned counsel further submits that the petitioner is a poor person and is only earning member of his family. Charge-sheet has been submitted against the petitioner and there is no chance of tampering with the evidence. The petitioner is having antecedent of two cases and he is on bail in both the cases. The petitioner is in custody since 17.04.2026.

05. Learned APP for the State opposes the submission made on behalf of the petitioner. Learned APP submits that there

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is specific allegation against the petitioner that he assaulted the husband of the informant with brick and due to injuries caused by the petitioner, the husband of the informant died and this fact is corroborated by the postmortem report.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the impulsive nature of act of the petitioner in the background of absence of premeditation and also considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Nalanda P.S. Case No. 81 of 2026, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail

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bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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