

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68533 of 2025

Arising Out of PS. Case No.-69 Year-2025 Thana- VISHAMBHARPUR District- Gopalganj

Dudhnath Manjhi S/o Mahajan Manjhi, R/o Village- Kala Matihania, P.S.-
Bishambharpur, District- Gopalganj, at present Bhajchhaper (Ramjeeta
Bandh), P.S.- Bishambharpur, District- Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Ravi Shankar Sahay, Advocate Mr. Hira Lal Gupta, Advocate Mr. Rakesh Kumar Mishra, Advocate
For the Opposite Party	:	Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 05-01-2026 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Bishambharpur P.S. Case No. 69 of 2025 dated 01.04.2025, registered for the offences punishable under Sections 126(2), 115(2), 118(1) and 109 read with Section 3(5) of the B.N.S., 2023.

3. As per the prosecution case, the petitioner and other co-accused persons assaulted the son of the informant with *lathi, danda* and iron-rod, who received serious injury.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner has falsely been implicated in the present case. No occurrence in the manner as alleged has



ever taken place. The petitioner is aged about sixty-one years and it is not believable that he went on to assault the son of the informant. No reason or motive has been given for the assault. There was no intention to cause death of any person and hence, there would be no application of Section 109 of the B.N.S., 2023. Learned counsel next submits that petitioner is having antecedent of one case under Bihar Prohibition and Excise Act in which he is on bail and chargesheet has been submitted. Learned counsel lastly submits that petitioner is in custody since 15.06.2025.

5. Learned A.P.P. appearing on behalf of the State opposes the submissions made on behalf of the petitioner and submits that the victim received a number of injuries and two of the injuries are stated to be grievous in nature and one is simple in nature.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and submission of chargesheet against him, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st



Class, Gopalganj / concerned Court, in connection with **Bishambharpur P.S. Case No. 69 of 2025**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other 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, if so required by the learned trial Court.

(iii) In case of non-appearance of the petitioner on single date or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

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