

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72005 of 2025

Arising Out of PS. Case No.-81 Year-2013 Thana- TARIYANI CHOWK District- Sheohar

Jai Kishore Manjhi S/o Sri Rajdev Majhi Resident of Aura, Malikana, P.S.-
Tariyani, District- Sheohar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Aishwarya Shankar, Advocate

For the Opposite Party/s : Mr. Md. Shakir Ahmad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 19-03-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 16.02.2024 in connection with Tariyani P.S. Case No. 81 of 2013 for the offences punishable under Sections 147, 149, 341, 393, 427, 436 and 302 of IPC.

3. The prosecution case, in brief, is that on 22.07.2013, in the morning two buffaloes of Mr. Rajdev Majhi, who happens to be father of the petitioner, grazed the grains from the farm of the informant. It has been further stated in the FIR on account of the aforesaid incident, the informant went to the residence of Mr. Rajdev Majhi and, narrated the entire incident. It is next alleged that, subsequent to reporting of the incident to Rajdev Majhi, his father went to Chapra Bazaar and



after returning, the informant and his father were assaulted and hit by the petitioner, Raj Kumar Majhi, Pundev Majhi, Krishnandan Majhi, Sahdev Majhi, and Raghuvir Majhi near Malikana Middle School, as mentioned in the said FIR. It is next alleged that on the basis of such allegation, the Tariyani P. S. Case No. 81 of 2013 was registered.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and is innocent and he has falsely been implicated in the present case. It is next submitted that the petitioner and the accused persons are named in the FIR and from bare of the FIR it appears that there is no specific allegation of any assault or overt act against the petitioner and there is general and omnibus allegation against the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner. Learned counsel for the petitioner further submits that petitioner is in custody since 16.02.2024 and trial has not been progressed.

5. *Vide* order dated 09.01.2026, a report was called with regard to the stage of trial. The written report dated 22.01.2026 reveals that despite the best effort, the prosecution witness has not been examined as yet. Learned counsel for the petitioner submits that he has moved before the trial court and



the trial has not been progressed and the petitioner has been in custody since 16.02.2024.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances that there is no specific allegation against the petitioner in the FIR and petitioner is a person with clean antecedent and since the petitioner is in custody since 16.02.2024 i.e., more than two years, 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 the learned Chief Judicial Magistrate, Sheohar in connection with Tariyani P.S. Case No. 81 of 2013, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be canceled 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)

Gaurav Sinha/-

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