IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76826 of 2026

CNR No. BRHC011108462026

Arising Out of PS. Case No.-443 Year-2026 Thana- WARISLIGANJ District- Nawada

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Manchan Singh S/o Late Aditya Singh Resident of Village - Azampur, PS- Warisaliganj, District- Nawada.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Nayan, Advocate

For the Opposite Party/s : Mr. Surendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 28-10-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Warisaliganj P.S. Case No. 443 of 2026, lodged on 27.06.2026, under Sections 126(2), 115(2), 351(2), 352, 109, 117(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, an FIR has been lodged against two named accused persons, including the present petitioner. It has been alleged by the informant that both the accused persons reached the gumti (kiosk) of his brother and assaulted him. This fact was disclosed to him by his brother

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himself, and thereafter, the police reached the place of occurrence upon dial 112.

4. Learned counsel for the petitioner submits that from the contents of the FIR, it becomes crystal clear that the petitioner was not present at the place of occurrence, and the FIR has been lodged on the basis of material hearsay. Counsel further submits that the allegation is absolutely false. He also submits that the date of the occurrence is alleged to be 26.06.2026, but the FIR has been lodged after a delay of one day, and the reason has not been explained. Counsel further submits that the antecedent of the petitioner is not clean; there are two criminal cases against him, in which he is on bail, and he is in judicial custody since 14.09.2026.

5. Learned counsel further submits that the situation is completely different from what is mentioned in the FIR. He submits that the informant has taken a friendly loan of Rs. 5,000/- from the petitioner in the presence of the co-accused, and upon demand of the money, he filed a criminal case against him. Counsel submits that the petitioner is ready to fulfill all conditions whatsoever shall be imposed, and is already in custody since 14.09.2026 for no fault.

6. Learned counsel for the State, on the other hand,

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opposes the prayer for bail and submits that the allegation has been made by the victim against the petitioner. But he fairly submits that it is true that the FIR has been filed with a delay of one day, and the injured is not the informant.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) as mentioned in Section 2(1) (d) of the BNSS, 2023 to the satisfaction of learned Additional Chief Judicial Magistrate- IV, Nawada, in connection with Warisaliganj P.S. Case No. 443 of 2026, subject to the conditions as laid down under Section 480(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 as well as the following conditions:-

1. The learned Trial Court shall verify at the time of acceptance of the bail bond of the petitioner that the petitioner is not absconding in the pending cases against him, namely :

i. Warisaliganj P.S. Case No. 426 of 2021

ii. Warisaliganj P.S. Case No. 281 of 2024

2. One of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide; and

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3. The petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself.

(Dr. Anshuman, J)

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