

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79647 of 2025

Arising Out of PS. Case No.-184 Year-2024 Thana- KALYANPUR District- Samastipur

Manoj Kumar @ Saroj Kumar Son of Ram Bol Rai @ Ram Bol Ray Resident
of Village - Ratwara, Ward No.-9, Police Station - Kalyanpur, District -
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh, Advocate

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 29-01-2026 Heard Mr.Pramod Kumar Singh, learned counsel
for the petitioner and Mr.Suresh Prasad Singh, learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
28.11.2024 in connection with S.Tr.No.344 of 2025 arising
out of Kalyanpur P.S. Case No.184 of 2024, F.I.R. dated
26.07.2024 registered for the offence punishable under
Sections 103(1),3(5) of BNS,2023.

3. The prosecution story in brief as per FIR is that
on the alleged date of occurrence accused petitioner along
with co-accused took the informant's son with them. Around
7:00-8:00 PM., the informant's son returned home in a
severely injured state, and fell in the courtyard and the blood



was oozing out from his body and private parts. When the informant asked him, he told that the petitioner with co-accused took him to a mango orchard near the railway crossing gumati and there they along with 4 unknown persons brutally assaulted him and severely injured him. During the treatment the informant's son passed away.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. It appears from the FIR that the informant is not the eye witness of the alleged occurrence and it has come during investigation that the petitioner has caught hold the deceased and other co-accused persons have assaulted to the son of the informant. The police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 28.11.2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent, there is no specific allegation of any assault or overt-act attributed against the petitioner in the FIR as well



as period of custody, 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 learned Additional Sessions Judge-III, Samastipur in connection with S.Tr.No.344 of 2025 arising out of Kalyanpur P.S. Case No.184 of 2024, with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled 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)

Nitesh/-

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