

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88909 of 2025

Arising Out of PS. Case No.-59 Year-2025 Thana- ROSERA District- Samastipur

1. Aman Jha @ Aman Kumar Jha @ Shubham Jha S/o- Shambhu Jha @ Shambhu Kumar Jha @ Shambhu Kumar Village- Nandenagar Balha PS-Rosera Distt- Samastipur
2. Manoj Jha @ Manoj Kumar Jha S/o- Late Yaduvir Jha @ Late Yaduveer Jha Village- Nandenagar Balha PS-Rosera Distt- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar Singh, Advocate
	:	Mr. Madhav Kumar, Advocate
	:	Mr. Vikram Kumar, Advocate
For the State	:	Mr. Ajit Kumar, APP
For the Informant	:	Mr. Raja Ram Mishra, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-01-2026 Heard Mr. Manoj Kumar Singh, learned counsel for the petitioners, Mr. Ajit Kumar, learned Additional Public Prosecutor for the State, Mr. Raja Ram Mishra, learned counsel for the Informant.

2. The petitioners are apprehending their arrest in connection with Rosera P.S. Case No. 59 of 2025, F.I.R. dated 27.02.2025 for the offences punishable under Sections 126(2), 115(2), 117(2), 109, 352, 74, 3(5) of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, the informant alleged that on 19.02.2025, when she was returning from Bhola



Baba temple, then in the way, the petitioner along with other co-accused persons assaulted her by means of iron rod. When other people came to rescue her, the accused persons assaulted them also.

4. Learned counsel for the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case. From bare perusal of the FIR it appears that due to some petty dispute the present occurrence has taken place and there is case and counter case between the parties and all the cases which are pending against the petitioner have been filed by the informant side. Although there is specific allegation against the petitioner no.2 that he assaulted to one Brij Bhushan Jha and he has received injury and injury inflicted upon the injured person is recorded as grievous in nature but the same is not vital part of the body and similarly situated co-accused persons, namely, Mukesh Kumar Jha @ Mukesh and Vikram Kumar Jha have been granted the privilege of anticipatory bail by co-ordinate Bench of this Court vide order dated 13.08.2025 in Cr. Misc. No. 52599 of 2025.

5. The learned Additional Public Prosecutor as well as learned counsel for the Informant have vehemently opposed the prayer for bail of the petitioners on the ground that petitioner



no.1 has got three criminal antecedents and petitioner no.2 has got one criminal antecedent other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that both the petitioners are on bail in the pending matters.

6. Considering the aforesaid facts and circumstances, there is case and counter case between the parties and although injury inflicted upon one of the injured person is grievous in nature but the same is not on vital part of the body, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM-I, Rosera, Samastipur in connection with Rosera P.S. Case No. 59 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioners 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 their absence on two consecutive dates without sufficient



reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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)

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