

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86831 of 2025

Arising Out of PS. Case No.-40 Year-2025 Thana- Hathiyav District- Sheikhpura

=====

Kundan Manjhi Son of Dudal Manjhi Resident of Village - Sharma, P.S. -
Teterhat, District – Lakhisarai. Petitioner/s

Versus

The State of Bihar Opposite Party/s

=====

Appearance :

For the Petitioner/s : Ms. Puja Kumari, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-01-2026 Heard Ms. Puja Kumari, learned counsel for the

petitioner and Mr. Sanjay Kumar Tiwary, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Hathiyawan P.S. Case No. 40 of 2025, F.I.R. dated 17.07.2025 for the offences punishable under Sections 126(2), 115(2), 109, 76, 303(2), 329(4), 352, 351(3), 3(5) of the Bhartiya Nyay Sanhita, 2023.

3. As per the First Information Report, the informant alleged that , the petitioner along with other co-accused persons came to his house and assaulted his wife by means of iron rod and when his brother-in-law and niece came to rescue her, the accused persons assaulted them also. It is further alleged that one of the accused person snatched gold locket from informant's wife.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. The present case is counter blast of Hathiyawan P.S. Case No. 39 of 2025 which was filed by the side of the petitioner against the informant and his family members. He further submits that from bare perusal of the FIR it appears that there is specific allegation in the FIR that he assaulted to the wife of the informant, namely, Suman Devi. Although wife of the informant received injury but her injury report suggest that injury inflicted upon her is simple in nature caused by hard and blunt substance.

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

6. Considering the aforesaid facts and circumstances, the petitioner has clean antecedent and there is case and counter case between the parties and injury inflicted upon the injured person is simple in nature, let the petitioner, 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) with two sureties of the like amount each to the satisfaction of the learned C.J.M, Sheikhpura in connection with Hathiyawan P.S. Case No. 40 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. 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 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 bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Suruchi/-

U		T	
---	--	---	--

