

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87880 of 2025

Arising Out of PS. Case No.-176 Year-2025 Thana- BAJPATTI District- Sitamarhi

MANOJ PATHAK @ MANOJ KUMAR PATHAK Son of Late Harischandra Pathak @ Kamlakant Pathak Resident of Village - Malahi, P.S.- Sursand, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 23-02-2026

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Bajpatti P.S. Case no. 176 of 2025 registered under sections 103(1) and 3(5) of the Bhartiya Nyay Sanhita, 2023.

3. As per the prosecution case, the informant states that the seven named accused persons including the petitioner herein, as also 4 to 5 unknown persons resorted to firing, killing the son of the informant.

4. Learned counsel for the petitioner submits that from perusal of the FIR it would transpire that the informant is not an eyewitness to the occurrence. Her statement is recorded in paragraph no. 9 of the case diary wherein she states that



having received information from her brother whose statement has been recorded by the police in paragraph no. 11 of the case diary. The informant's brother claims to have been told by the deceased before his death about the accused persons having killed him, however, learned counsel submits that the petitioner is not named in the statement by the brother of the informant as recorded in paragraph no. 11 of the case diary. The petitioner is in custody since 21.7.2025 and has no criminal antecedent.

5. The application for bail is opposed by learned APP for the State. However, it is not denied that in his statement recorded in paragraph no. 11 of the case diary the brother of the informant has not named the petitioner herein.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR being general and omnibus in nature and especially the petitioner not having been named by the brother of the informant in his statement recorded in paragraph no. 11 of the case diary together with the petitioner having remained in custody for over 6 months since 21.7.2025, not having any criminal antecedent and charge sheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Bajpatti P.S. Case no. 176 of 2025 on furnishing bail



bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the
like amount each to the satisfaction of the learned Judicial
Magistrate 1st Pupri, Sitamarhi.

(Partha Sarthy, J)

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