

In the Court of Addl. Sessions Judge, Manjhaul (Begusarai)
B.A No-401/2026
Manjhaul P.S. Case No- 21/2026

In the matter of :

Shankar Jha, aged about 57 years, s/o- Late Dhaneshwar Jha
 R/o- Vill- Kamla, Ward No. 14, P.S.- Manjhaul, District-Begusarai
 Vs.
 State of Bihar

AND

B.A No-403/2026
Manjhaul P.S. Case No- 21/2026

In the matter of :

Jay Jay Ram Jha, s/o Dhaneshwar Jha
 R/o- Vill- Kamla, Ward No. 14, P.S.- Manjhaul, District-Begusarai
 Vs.
 State of Bihar

Ld. counsel for the petitioner: Sri Nakul Mahto, Id. Adv.

Ld. counsel for the State: Sri Rakesh Kumar, Id. A.P.P.

Date of Order- 16th April, 2026

Present:-

Sanjay Kumar Singh
Addl Sessions Judge,
Subdivisional Civil Court,
Manjhaul, Begusarai

1. The two petitioners namely in two bail petitions seek regular bail in connection with Manjhaul P.S. Case No-21/2026 for the offences punishable under section- 126(2), 115(2), 303(2), 351(2), 109(1), 3(5) of BNS against the accused persons namely **1. Shankar Jha & 2. Jay Jay Ram Jha**. The copies of both the bail petitions have already been served to Ld. A.P.P. for the state. Since both the bail petitions are connected with the same P.S. case No-21/2026, hence for the sake of convenience both are taken together for hearing and common order. The Ld. counsels for the parties have been exhaustively heard.

2. The brief case of the prosecution is in written report of one Gudiya Devi who stated that on 13/02/2026 at about 6:00 pm accused persons namely Bambam Jha, Jaijairam Jha, Shankar Jha, Prince Kumar, Chhotu Kumar and Amrit Kumar arrived at her house and assaulted her son Ayush Kumar, Devar Anil Jha and a minor boy Sidharth Kumar brutally with butt of pistol, iron rods, and sticks with the intent to kill them. As a result, they received severe head injuries etc. When the informant tried to intervene, the accused persons started abusing her and threatened to kill the entire family. They also snatched a mobile phone and Rs. 5,000/- in cash.

3. Learned counsels for the petitioners submitted that the aforesaid accused petitioners are quite innocent and have committed no offence. Earlier no bail application has been filed on behalf of the petitioners before this Id. court nor any bail application is pending or rejected under any provision of law in any other court. The petitioner no. 1 has 18 criminal antecedents and the petitioner no. 2 has 12 criminal antecedents. The petitioners are in judicial custody since 16.02.2026. Entire allegation against the petitioners is only general and vague. It is admitted fact that the date of occurrence is 3.02.2026 in the FIR and the FIR sent to the Id. C.J.M. court on 16.02.2026 which is doubtful. As per FIR, alleged offence u/s 126(2), 115(2), 351(2) are in bailable and offence u/s 303(2) and 109(1) of BNS act is not made out against these petitioners. As there is no repetition of the iron rod, lathi and danda so offence u/s 109(1) of the BNS is not made out against the petitioners. This is a counter blast of Manjhaul P.S. case no.20/26 which was lodged by the mother of the petitioner Shankar Jha against the husband of the informant of this case. The victim was admitted in a private clinic i.e. Ishwar Hospital and injury prepared by it doubtful injury. The petitioners filed their bail application before the court below but same has been rejected without applying his judicial mind. The accused petitioners are not convicted in any other case. According to the Hon'ble Supreme Court bail of the accused cannot reject on basis of history of the accused. The accused petitioners undertake they shall co-operate in the investigation and not tamper with the evidence. On these grounds the Id. counsel prays that the petitioners be admitted to regular bail.

4. Learned counsel for the State opposed the prayer of regular bail to the petitioners.

5. Heard Ld. counsels of both the parties and perused the case record. At the outset it be mentioned that the case diary was called for and the same has been annexed with the record for perusal. On perusal of FIR, case diary and other material available on judicial record, this case has been registered u/s- 126(2), 115(2), 303(2), 351(2), 109(1), 3(5) of BNS against these petitioners along with other co-accused persons. The petitioners are named in FIR and it appears that the allegations against the petitioners are specific and serious in nature. The witnesses, as reflected in paragraphs 4, 5, 6, 64 and 65 of the case diary have supported the case of the prosecution. Further, in paragraph- 46 of the case diary, the supervising authority has found the case to be true against the petitioner. As per para-77 to 79 it also transpires that three person have sustained injuries in the incident, out of which two have suffered grievous injuries. As per para-88 & 89 of case diary both the petitioners having long criminal antecedent, petitioner Jayjay Ram Jha has 13 criminal antecedents and Shankar Jha has 18 criminal antecedents which that both the petitioners are habitual criminal. Considering the nature and gravity of the accusation, the manner of occurrence, the supporting materials in the case diary, the injuries sustained to the victims, and the long criminal antecedent of the petitioners, this Court is not inclined to grant the privilege of bail to the petitioners. Under the circumstances, I am of the view that the petitioners do not deserve bail. Consequently, both the bail petitions of petitioners stand rejected.

Dictated

**Sanjay Kumar Singh
Addl. S.J., Manjhaul**

Date of Judgment / Order	16.04.2026
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