

IN THE COURT OF AMIT KUMAR, ADDL. SESSIONS JUDGE V, JAMUI

(B.A. No. 400/2026)

Arising out of Khaira P.S. Case No. 215/2026, District-Jamui

Mishri Manjhi & Others Vs. State of Bihar

For Petitioners : Ld. Counsel Sri Avinash Kumar Niraj.

For The State : Ld. Addl. P.P. Sri Sanjeev Kumar Singh.

Date of order : 30.06.2026

1. The present regular bail application has been filed on behalf of the accused petitioners namely (1) Mishri Manjhi, aged about 70 years, S/o Late Taran Manjhi, (2) Nageshwar Manjhi, aged about 65 years, S/o Late Taran Manjhi, and (3) Singho Manjhi, aged about 40 years, S/o Ramkhelawan Manjhi, all residents of Village-Bhond, P.S.-Khaira, District-Jamui, who are in jail custody since 24.05.2026 in connection with Khaira P.S. Case No. 215/2026, registered under sections 191(2), 190, 126(2), 115(2), 109(1), 351(2) and 352 of the B.N.S.

2. As per the FIR, the informant Jimmedar Manjhi has alleged that on 23.05.2026 at about 9:00 A.M., while the informant was working upon his land, the accused persons including the petitioners came there with abusing words, armed with lathi and iron farsa, and started to assault; that the non-petitioner Ramji Manjhi assaulted with farsa on the head of the informant and the other accused assaulted with lathi-danda, and the accused also threatened the informant not to lodge the case, whereupon the villagers came and intervened in the matter, on the basis of which the above FIR was registered.

3. Learned counsel for the petitioners submitted that the petitioners are quite innocent and have committed no offence and have falsely been implicated in this case on account of an old land dispute between the parties. It is submitted that the allegation of assault against the petitioners is general and omnibus in nature, with no specific overt act attributed to any individual petitioner, and that there is neither any intention nor repetition of blows attributable to them. It is further submitted that all the sections are bailable in nature except section 109(1) of the B.N.S., the ingredients of which are not made out against the petitioners. It is pointed out that petitioner No. 1 is aged about 70 years and petitioner No. 2 is aged about 65 years, that both are old and infirm, and that they themselves sustained grievous injuries in the same occurrence and were medically examined, the injury slips whereof have been annexed. It is also submitted that petitioner No. 3 Singho Manjhi is himself the informant of a cross-case being Khaira P.S. Case No. 214/2026 registered against the informant of the present case and others. No other bail application of the present nature on behalf of the petitioners is pending either before this Court or the Hon'ble High Court, Patna; however, an earlier bail application moved before the learned C.J.M., Jamui has been rejected on 29.05.2026. Therefore, it has been prayed that the accused petitioners may kindly be enlarged on regular bail.

4. On the other hand, learned Addl. P.P. for the State has opposed the prayer for bail.

5. Heard both the parties in detail and perused the record.

6. On perusal of the record, it transpires that the allegation of assault against the petitioners is omnibus in character, no specific or distinct role having been assigned to any of them, the only specific allegation of assault on the head with farsa being against the non-petitioner Ramji Manjhi. The injury sustained by the informant, as per the injury report, is a lacerated wound caused by a hard and blunt object with the opinion reserved pending the radiological report. The dispute is essentially of a civil/land nature between members of the same family, and the petitioners, two of whom are aged about 70 and 65 years respectively and are themselves stated to be injured, are in custody since 24.05.2026.

7. Considering the aforesaid facts and circumstances of the case, the nature of allegation against the petitioners which is general and omnibus, the existence of a cross-case between the parties arising out of the same occurrence, the advanced age and the injured condition of petitioner Nos. 1 and 2, the period of custody already undergone since 24.05.2026, and the entire facts and circumstances of the case, this Court is of the considered view that the petitioners are entitled to the privilege of regular bail. Accordingly, the regular bail application of the petitioners namely Mishri Manjhi, Nageshwar Manjhi and Singho Manjhi is hereby allowed. It is ordered that the above-named petitioners be released on bail in connection with Khaira P.S. Case No. 215/2026 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of like amount each to the satisfaction of the learned court below, with the conditions as laid down under section 482(2) of the B.N.S.S.

Dictated

Sd/-

Addl. Sessions Judge - V, Jamui

Copy forwarded to the court concerned

Addl. Sessions Judge - V, Jamui