

IN THE COURT OF ADDL. SESSIONS JUDGE-04, DANAPUR

Anticipatory Bail Petition No. 56 of 2026 (Naubatpur P.S. case No. 554/2025)

- 1. Urmila Devi, aged about 55 years, w/o Late Kapil Manjhi,**
- 2. Bichhi Devi, aged about 21 years, w/o Bithal Manjhi @ Bitha Manjhi,**
- 3. Bithal Manjhi @ Bitha Manjhi aged about 24 years, s/o Chauthi Manjhi, all resident of vill. Sri Nagar Karai, P.S. Naubatpur, Distt. Patna.**

..... Petitioners

Vs.

State of Bihar.....O.P

Lawyer for the accused; Sri Sunil Kumar (Adv.)

Lawyer for the State; Sri Kalam Ansari, Addl. P.P.

Present: - Naghma Tarannum, Addl. Sessions Judge-04, Danapur

ORDER

13.03.2026	<ol style="list-style-type: none">1. The present anticipatory bail petition dated 07.01.2026 has been filed on behalf of the accused petitioners named above, apprehending their arrest in connection with Naubatpur P.S. Case No. 554 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 109(1), 351(2), 352, 74 read with Section 3(5) of the Bhartiya Nyaya Sanhita, 2023. The matter is placed today for order.2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the State.3. The prosecution case, in brief, as disclosed in the written report of the informant Lalti Devi, is that on 09.09.2025, at about 7.00 p.m. the accused persons namely Bittu Manjhi, Milan Manjhi, Pagal Manjhi, Tanka Manjhi and Bichhu Devi were abusing her daughter in filthy language and upon her resistance all assaulted her and her daughter with lathi danda and iron rods and got them severely injured. They dialed on 112 to call the police. The police came and arrested some of the accused persons. On this basis, the present FIR was instituted and a Naubatpur case No. 554 of 2025 dated 09.09.2025 was registered against five accused persons including these three petitioners under the aforesaid sections.4. Learned counsel for the petitioner submits that the allegations are false, fabricated, and stem from long-standing land disputes. It is argued that the ingredients of	Contd.
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	<p>Sections 109 and 74 BNS are not prima facie attracted and have been added only to aggravate the offence. It is further submitted that the injuries are simple in nature, the petitioners have clean antecedents, and they undertake to cooperate with the investigation and trial. Therefore pray to be enlarged on bail.</p> <p>5. Conversely, the learned Additional Public Prosecutor for the State has opposed the bail petition, contending that the FIR contains specific allegations of assault, and custodial interrogation may be essential for proper investigation.</p> <p>6. Having considered the rival submissions, the materials on record, the nature of accusation, the gravity of injuries, and the fact that the investigation so far has not substantiated the allegation under Section 109 BNS, and the injuries have been found simple in nature that too not on any vital part of the body, this Court finds that custodial detention of the petitioners is not necessary.</p> <p>7. In Sanjay Chandra v. CBI, (2012), the Hon'ble Supreme Court held that the object of bail is neither punitive nor preventive, and that pre-trial detention should be avoided unless necessary for the investigation or trial.</p> <p>8. Further, in Arnesh Kumar v. State of Bihar, (2014), the Apex Court emphasized that arrest should not be made in a routine and mechanical manner, especially where the offence is punishable up to seven years and the accused cooperates in investigation.</p> <p>9. Similarly, in Dataram Singh v. State of U.P., (2018), it has been reiterated that bail is the rule and jail is the exception, and courts should lean in favour of granting bail unless compelling reasons exist.</p> <p>10. Applying these principles to the present case, considering that the injuries are simple, the allegations not specific, and no further recovery or custodial interrogation is shown to be required, this Court is of the view that the petitioner deserve the benefit of anticipatory bail.</p>	<p>Contd.</p>
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11. Accordingly, the Anticipatory bail petition is allowed.

The accused petitioner (1) Urmila Devi, (2) Bichhi Devi and (3) Bithal Manjhi @ Bitha Manjhi are directed to be **released on bail** on their arrest or surrender before the Court within four weeks of the order of this Court on furnishing bail bonds of **Rs. 10,000/- (Rupees Ten Thousand only)** with two sureties of the like amount each to the satisfaction of the learned Court of ACJM -VI, Danapur, subject to the following conditions:

12. (i) The petitioners shall **cooperate with the investigation** and appear before the Investigating Officer as and when required.

(ii) The petitioners shall **not tamper with evidence** or influence witnesses in any manner.

(iii) The petitioners shall **remain present during trial** on each and every date fixed unless exempted by the Court.

(iv) The petitioners shall **not commit a similar offence** while on bail.

13. Violation of any of the above conditions shall entail cancellation of bail.

Let a copy of this order be transmitted to the concerned court forthwith.

(Naghma Tarannum)

Addl. Sessions Judge-IV, Danapur