

In the Court of Dushyant Kumar
District & Additional Sessions Judge-I
Rosera , District-Samastipur
A.B.P. No. 431-C of 2025
C.I.S.No. 431-C of 2025
(Arising out of Bibhutipur P.S. Case No. 150 of 2023)
Date: 15.05.2026

Manish Kumar @ Manish Kumar Paswan**Accused/Petitioner.**

vs.

State of Bihar.**Prosecution/O.P.**

ORDER

1. The present petition has been filed by the accused petitioner namely Manish Kumar @ Manish Kumar Paswan in connection with Bibhutipur P.S. Case No. 150 of 2023 under Sections-147/148/149/341/323/384/385/506 of I.P.C.
2. Heard Sri Anil Kumar Sharma, Ld. Counsel for the accused petitioner and Sri Sita Ram Yadav, Ld. APP. for the State.
3. Briefly stated the case of the prosecution based upon the application of the informant, Shyam Kumar, presently posted as Chowkidar No. 7/10 at Bibhutipur Police Station, is that for the last 2–3 days an atmosphere of fear prevailed among the shopkeepers of Narhan Bazaar. During secret enquiry, it was learnt that some criminals were demanding extortion money from the shopkeepers and threatening them with dire consequences for non-payment. On 21.04.2023 at about 12:00 noon, about 14–15 criminals riding on 4–5 motorcycles entered Narhan Bazaar armed with weapons and created terror by openly displaying arms in order to intimidate the shopkeepers for payment of extortion money. During enquiry, accused persons namely Santosh Kumar, Bodha Kumar @ Avinash Pohar, Satyam Sah and Kaushal Kumar Mahto along with about 10 unknown persons, were identified among the armed motorcycle riders. It is further alleged that the entire incident was captured in the CCTV footage installed in the market area.
4. Learned Counsel for the accused petitioner submits that the petitioner is innocent and has been falsely implicated in the present case due to local village factionalism. It is contended that the allegations are false, baseless and concocted and that the petitioner was not named in the F.I.R., rather, his name surfaced only during the course of investigation. It is further submitted that there is no direct, indirect or circumstantial evidence against the petitioner and no independent eyewitness has supported the prosecution case. Learned Counsel also submits that the petitioner has no criminal antecedent and no earlier anticipatory or regular bail petition has been filed on his behalf before any Court. It is further submitted that there is no likelihood of the petitioner absconding or tampering with the prosecution evidence and that he is ready to abide by all conditions as

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prescribed under Section 482(2) of the B.N.S.S., 2023. Accordingly, prayer has been made to enlarge the petitioner on anticipatory bail.

5. On the other hand Ld. APP. on behalf of state opposed the prayer for bail.
6. Perused the records. The instant case has been instituted under Sections 147, 148, 149, 341, 323, 384, 385 and 506 of the I.P.C. on the allegation that certain persons created terror in Narhan Bazaar and demanded extortion money from shopkeepers. It appears that the present petitioner is not named in the F.I.R. and his implication has surfaced during investigation primarily on the basis of the confessional statement of co-accused. No specific overt act has been attributed to the petitioner in the F.I.R. It further appears that similarly situated co-accused persons have already been granted anticipatory bail by the Hon'ble High Court, including co-accused Pappu vide order dated 06.08.2023 passed in Criminal Miscellaneous No. 45292 of 2025, co-accused Kaushal Kumar Mahto vide order dated 13.09.2024 passed in Criminal Miscellaneous No. 57252 of 2024, and co-accused Indrajeet Shah vide order dated 13.09.2023 passed in Criminal Miscellaneous No. 55274 of 2023. Petitioner has further stated that he has no criminal antecedent.
7. Considering the nature of accusation, and the principle of parity with co-accused who have already been granted anticipatory bail, this Court is inclined to enlarge the petitioner on anticipatory bail.
8. Accordingly, the petitioners, namely Manish Kumar @ Manish Kumar Paswan is directed to be released on bail in the event of his arrest or surrender within six weeks from today on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court of the Ld. Magistrate concerned in connection with Bibhutipur P.S. Case No. 150 of 2023, subject to the conditions mentioned in Section 482(2) of BNSS.
9. Let a copy of this order along with the LCR be sent to the Court of the Ld. Magistrate concerned.

Dictated

District & Additional Sessions Judge -1
Rosera, Samastipur