

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61241 of 2017

Arising Out of PS.Case No. -175 Year- 2017 Thana -MANSI District- KHAGARIA

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1. Mantu Yadav, Son of Bindeshwari Yadav, resident of Village- Rajajan,
Police Station Mansi, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh

For the Opposite Party/s : Mr. Sri Nityanand

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 25-01-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

In this application, the petitioner apprehends his arrest for the offences in connection with Mansi P.S. Case No. 175 of 2017 punishable under Sections 420, 467, 468, 472, 272, 273/34 of the Indian Penal Code.

Allegedly, the petitioner and his two brothers were selling tea, affixing duplicate wrapper of the informant's company and as per seizure list, dated 24.08.2017, tea and other articles were recovered from the place of occurrence.

Submission is of false implication and that against the petitioner, no offence as alleged is made out. The petitioner has not been arrested at the spot. Nothing has been recovered from



his possession. The petitioner has no hand in the alleged commission of offence. Co-accused Pranav Kumar, who has been arrested, has already been allowed regular bail and, as such, the petitioner deserves sympathetic consideration.

Learned APP seriously opposes the prayer of pre-arrest bail by submitting that Pranav Kumar, the brother of the petitioner, confessing his guilt, has also stated about the hand of the petitioner in the crime and further other witnesses have also supported the allegation.

In the facts and circumstances stated above, considering the allegation, attributed against the petitioner, I am not inclined to grant pre-arrest bail to him and accordingly, his such prayer stands rejected in connection with Mansi P.S. Case No. 175 of 2017 pending before learned Judicial Magistrate, Khagaria.

However, in case and if so advised, the petitioner surrenders and seeks regular bail then his prayer for regular shall be considered on its own merit without being prejudiced by this order.

(Jitendra Mohan Sharma, J)

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