

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59056 of 2018

Arising Out of PS. Case No.-122 Year-2018 Thana- MANSI District- Khagaria

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1. Munna Kumar, S/o Badan Yadav,
 2. Dilip Yadav @ Dilip Kumar, S/o Badan Yadav, Both R/o Vill.-
Khutiya, P.S.- Mansi, District- Khagaria.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Satish Chandra, Advocate.

For the Opposite Partys : Mr. Humayou Ahmad Khan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 22-11-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 341, 323, 307, 504,
354(A), 325, 506/34 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that on 26.06.2018
at 10.00 hours, the informant was coming to home from his
Basa and as soon as he reached near the house of Akhilesh
Yadav, the accused persons including the petitioners ambushing
from before intercepted him, abused and assaulted him. On his
alarm, his father, uncle and sister came to rescue him, they were
also assaulted by the accused persons wherein co-accused
Subodh Yadav, Arvind Yadav alongwith petitioners charged



Lathi and on the order of co-accused Sikandar Yadav, co-accused Nitish Kumar made firing but anyhow they saved their life and fled away from there.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. The petitioners have falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. It is case and counter case between the parties. The injury on the side of accused persons has not been explained by the prosecution. It is further submitted that there is no injury report on record to show that anyone is said to have been injured.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R. Altogether three persons are injured in course of occurrence and in support of same, there are injury report in the case diary.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioners. The same is rejected in connection with Mansi P.S. Case No. 122 of 2018, pending in the court of learned C.J.M., Khagaria. Anyhow, if the petitioners surrender and pray for regular bail in the learned court below, the same shall be considered on its own



merit without being prejudiced by this order of the Court.

U.K./- (Sudhir Singh, J)

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