

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53789 of 2019

Arising Out of PS. Case No.-55 Year-2019 Thana- SHERGHATI District- Gaya

MANOJ YADAV @MANOJ KUMAR, aged about 36 years, Male, Son of
Komal Yadav, Resident of Village - Karmauni, P.O.- Sahdeo Khap, P.S.-
Dobhi, Dist.- Gaya ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Chandra Mohan Jha, Adv.
For the Opposite Party : Mr. Murli Dhar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 27-08-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Sherghati (Dobhi) P.S. Case No. 55 of 2019, pending in the
Court of the Chief Judicial Magistrate, Gaya, for the offences
alleged under Sections 147, 148, 149, 341, 323, 337, 338, 332,
333, 353, 307, 120B and 504 of the Indian Penal Code and 27 of
the Arms Act.

The accusation is that in course of raid, the informant,
along with other police personnel, reached the village Karmauni
at the house Manoj Yadav (petitioner). On seeing the informant
and other police personnel, petitioner started to abuse and made
protest in the raid and called the local persons talking on mobile
and he started firing from the roof. In the meantime, 100-125
persons gathered there and indulged in making firing. Then,
police personnel moved on safe side, thereafter, informant
ordered for firing in defence. At that time, at least 30 rounds



firing were made from the side of the petitioner. On giving information, the police of other Police Station started to reach there, but, accused persons started to flee away. One person, Pappu Yadav, was caught, who disclosed the names of 18 persons, who were indulged in indiscriminate firing.

The learned counsel for the petitioner submits that while allegation has been made about indiscriminate firing at the hand of the petitioner and his associates, but, none has sustained any injury.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, I am not inclined to grant the privilege of pre-arrest bail to the petitioner. The prayer for pre-arrest bail is **rejected**. The petitioner is directed to surrender before the Court below and seek regular bail, which will be considered on its own merit and without being prejudiced of this order.

(Rajendra Kumar Mishra, J)

Shamshad/-

U		T	
---	--	---	--

