

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24461 of 2021**

Arising Out of PS. Case No.-355 Year-2020 Thana- KAHALGAON District- Bhagalpur

=====

MANKAR YADAV SON OF SHRI SHYAM PRIT YADAV @ SAMAPRIT
YADAV @ SAMPRAT YADAV R/O VILLAGE- L.C.T. GHAT WARD NO.7
(RAM NAGAR BANDAR BAGCHIA), P.S.- KAHALGAON, DISTRICT-
BHAGALPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh

For the Opposite Party/s : Mr.H.A. Khan

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-07-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove
the defects within four weeks of resumption of normal court
proceeding. In the eventuality of non-removal of defects within
undertaken period, the office will place the matter before the
Bench.

The petitioner seeks bail in connection with Kahalgaon
P.S. Case No.355 of 2020 registered for the offence punishable
under Sections 147/ 148/ 149/ 307/ 504 and 506 of the Indian
Penal Code and section 25(1-b)a/26/27 of the Arms Act.

The prosecution case in short is that an altercation has
taken place between the informant and six accused persons



including this petitioner on restraining the accused side for constructing the boundary wall. In the meantime, accused Shankar Yadav and Mankar Yadav had started firing but the same got misfired in Mango tree, after that they fled away. One motorcycle and two live cartridges have been recovered from the place of occurrence.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. No offence as alleged has ever taken place. He has been falsely implicated in this case due to land dispute. There is case and counter-case between the parties for the same occurrence. No incriminating article has been recovered from the conscious physical possession of the petitioner. There is general and omnibus allegation against the petitioner. Similarly situated co-accused Shankar Yadav has been granted bail vide Cr. Misc. No.14587 of 2021 dated 23.06.2021 passed by a co-ordinate Bench of this court. The petitioner has two criminal antecedent and has been languishing in custody since 30.11.2020.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on



furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur in connection with Kahalgaon P.S. Case No.355 of 2020.

(Anjani Kumar Sharan, J)

pallavi/-

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

