

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7364 of 2021

Arising Out of PS. Case No.-365 Year-2019 Thana- GOPALPUR District- Bhagalpur

Manish Kumar Yadav @ Manish Yadav, aged about 20 years, Male Son of Nandeo Yadav, Resident of Village- Latra, Police Station- Gopalpur, District Bhagalpur

. ... Petitioner

Versus

The State of Bihar

... ... Opp Party

Appearance :

For the Petitioner	:	Mr. Rajesh Kumar Pandey Advocate
For the State	:	Mr. Kanhaiya Kishore, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

7 27-07-2021 In view of the sudden resurgence of Covid-19 infection, there is limited functioning of the High Court and, therefore, the matter has been listed today for consideration through virtual mode.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in Gopalpur PS Case No.365 of 2019, instituted for the offence under Sections 147, 448, 323, 325, 307, 379, 504 and 506 of the Indian Penal Code.

Five persons, including the instant petitioner have allegedly assaulted the informant and his father when they refused to oblige by facilitating with snacks and glasses in their shop.

The submission is of false implication and that having no criminal antecedents, the petitioner is in custody since 18.11.2019. No specific assault is attributed to the petitioner.



The allegations are general and omnibus and similarly situated co-accused, namely, Chandrika Rai has been allowed bail by the learned Court below.

The learned APP representing the State has opposed the prayer for bail.

Considering the rival submissions, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned **ACJM 1st Naugachia, Dist. Bhagalpur,** in connection with **Gopalpur P.S. Case No. 365 of 2019**, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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