

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32212 of 2022

Arising Out of PS. Case No.-166 Year-2020 Thana- BAIRIYA District- West Champaran

MANTOSH YADAV S/o Brijhan Yadav @ Birjan Yadav Resident of Village -
Bagahi, P.S.- Bairiya, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate
For the Opposite Party/s : Mr. Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-08-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 307, 384, 504, 506 and 34 of the Indian Penal Code and 37(c) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that on 14.04.2020 at about 12.00 noon, when the informant was sitting at his pharmaceutical shop when suddenly his neighbour, petitioner along with two other accused persons came and started demanding medicine, it is next alleged that petitioner and two other refused to pay to the informant and when the informant made protest all the accused started abusing



him and caught the informant's son, it is next alleged that petitioner Mantosh put a towel around his neck and started pressing it and further assaulted the informant with slaps, it is next alleged that accused looted Rs. 2,500/- from the shop of the informant, it is next alleged that accused persons were in a drunken condition.

The learned counsel for the petitioner next submits that the petitioner has been falsely implicated in the present case, it is next submitted that Mantosh was caught by the local people and he was handed over to the police and was in a drunken condition, it is next submitted that as far as this petitioner is concerned, it is only alleged that they were in a drunken condition without any Specific Over Act.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that the allegation against the petitioner is that in a drunken condition they had gone to the shop of the informant and where they committed loot of Rs. 2,500/- and at the same time even assaulted the son of the informant. The learned APP next submits that the fact that petitioner was in a drunken condition as such they felt embolden to commit such occurrence or else, they would not have dare to commit the occurrence as they were neighbours.



Considering the submissions made by the learned APP
for the State, the Court is not inclined to extend the privilege of
anticipatory bail application of the petitioner.

(Satyavrat Verma, J)

Shivam/-

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

