

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45100 of 2022

Arising Out of PS. Case No.-226 Year-20221 Thana- MANSI District- Khagaria

SHRAVAN YADAV S/o Late Rajdip Yadav Resident of Village- Chukti,
Police Station- Mansi, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Parmatma Singh, Advocate
For the Opposite Party/s :	Mr. Kalyan Shankar, APP
	Mr. Bharat Bhushan, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-12-2022 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 147, 148, 149, 323, 307, 302, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner has antecedent of one case and the informant alleges that she along with her husband (deceased) was watching their field when seven accused persons, including the petitioner, came and assaulted her husband and when villagers came, they were also assaulted, further her husband died during the course of treatment.

Learned counsel for the petitioner submits that



petitioner has been falsely implicated in the present case and from perusal of the allegations as alleged in the FIR it would manifest that the allegations are general and omnibus in nature, i.e., no specific allegation of assault is alleged against any of the accused persons, it is next submitted that no doubt a person has died but then the occurrence needs to be investigated for arriving at the truth with respect to the complicity of the accused persons in the occurrence. Learned counsel further submits that arrest is not meant to punish but to ensure that investigation is not hampered, it is next submitted that petitioner will cooperate in the investigation and will present himself as and when required by the Investigating Officer of the case.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner but are not able to meet the submission of learned counsel for the petitioner that there is no specific allegation of assault against any of the accused persons when informant claims to be an eyewitness to the occurrence.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-



(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Mansi P.S. Case No. 226 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that petitioner despite giving assurance to the Court is not cooperating in the investigation or is not appearing when called, the learned trial court after giving an opportunity of hearing to the petitioner shall pass orders in accordance with law and shall also have the liberty to cancel the bail bonds of the petitioner.

The learned trial court is directed to send a copy of this order to the concerned Police Station.

(Satyavrat Verma, J)

Rishi/-

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

