

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45377 of 2022

Arising Out of PS. Case No.-399 Year-2020 Thana- GRIYAK District- Nalanda

Mantu Kumar @ Mantu Yadav Son Of Mahesh Prasad Resident Of Shiv
Asthan Colony, P.S.- Rajgir, District- Nalanda Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey
For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-12-2022 Heard learned counsel for the petitioner and learned APP
for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Giriyak P.S. Case no. 399 of 2020 instituted for the offence under Sections 147, 148, 341, 353, 379, 427, 504 of the Indian Penal Code.

As per allegation in the FIR, petitioner along with other co-accused persons have created hindrance by pelting stones to the police party in discharging the official duty and they make free the tractor from their clutches which was engaged in loading the sand.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. General and omnibus allegations have been levelled against him. The alleged tractor belongs to co-accused Manoj Singh. Petitioner has been falsely implicated in this case due to high handedness of the police. He was only the member of the mob. Neither the petitioner was arrested on spot nor any incriminating article has been recovered



from his possession. Similarly situated other co-accused person has already been granted bail by a different co-ordinate Bench by order dated 05.01.2022 passed in Cri. Misc. No. 28513 of 2021.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Giriyak P.S. Case no. 399 of 2020, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Nalanda, Bihar Sharif subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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