

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15849 of 2023

Arising Out of PS. Case No.-604 Year-2021 Thana- HISUWA District- Nawada

Mantu Yadav @ Mantu Kumar S/O Late Arjun Yadav R/O Village- Hasanpur,
P.S- Hisua, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar, Advocate

For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-05-2023

Heard the parties.

The petitioner is apprehending arrest in connection with Hisua P.S. Case No. 604 of 2021 under sections 147, 148, 149, 341, 323, 353, 337, 338, 504, 506 of the Indian Penal Code lodged on 24.10.2022 by the informant Lalan Singh.

The prosecution story, in brief, is that on 24.10.2021, the informant alongwith other police force arrested Pappu Yadav with liquor. At the same time, suddenly 30-40 persons assembled there who forcibly tried to release the said person. It was also alleged that they also resorted to brick-batting upon the police and forcibly got succeeded in releasing the accused Pappu Kumar from the vehicle.

The local 'Dafadar' identified the persons including the petitioner involved in the alleged occurrence. Accordingly,



the F.I.R.

Learned counsel for the petitioner submits that due to village politics, he has been implicated in this case. He is a student, 20 years of age and the present case will jeopardize his future.

Learned APP opposes the prayer for anticipatory bail.

Considering the fact that the petitioner do not have criminal antecedent and he was alleged to be amongst the group of 30-40 people who had assembled and tried to release the accused, Pappu Yadav, this Court is inclined to grant him the privilege of anticipatory bail.

Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Nawada, in connection with P.S. Case No. Hisua P.S. Case No. 604 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and other conditions too.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

Ravi/Kiran

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