

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17511 of 2023

Arising Out of PS. Case No.-191 Year-2022 Thana- MANPUR District- Nalanda

GUDDU YADAV S/O MOHAN YADAV R/O VILLAGE- MAKDUANE,
P.S- MANPUR, DISTT.- NALANDA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr.Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-05-2023 Heard learned counsel for the petitioner and the
learned APP for the State

The petitioner apprehends his arrest in connection with Manpur P.S. Case No.191 of 2022 instituted under Sections 147, 148, 149, 307, 353 of the Indian Penal Code and Section 27 of Arms Act lodged on 23.07.2022 by the informant Ramkeshwar Paswan.

As per the prosecution story, while the informant was on evening patrolling duty, he got information that two groups of village Makduane were quarrelling with each other. When he reached at the place of occurrence, he saw that two groups were assaulting each other. On interrogation from the local people, it was found that Bablu Yadav, Naresh Yadav and Uday Yadav were on one side and other side the petitioner Matlu Yadav, Rajiv Yadav, Budhan Yadav, Chano Yadav and Guddu Yadav



were present. The informant tried to pacify the matter and after intervention of local people, both the groups left the place after abusing them. After a while, they started firing indiscriminately with illegitimate weapons, due to which panic spread. Thereafter the police reached there then the accused persons fled away. Again on 24.07.2022, it was found that both the groups were involved in creating panic by firing with illegitimate weapons. Accordingly, the FIR.

Learned counsel for the petitioner submits that there was fight between two groups and the police tried to pacify they were also assaulted. His name has come only due to enmity.

It is further submitted that one of the co-accused Matlu Yadav has since been extended the relief by coordinate bench vide order dated 09.02.2023 in Cr. Misc. No. 57183 of 2022. (Annexure-2)

Learned APP on the other hand opposes the prayer for anticipatory bail.

Taking into account the aforesaid fact as also that one the co-accused Matlu Yadav has been granted him privilege of anticipatory bail, this Court is inclined to grant him privilege of anticipatory bail.

Let the petitioner be released on anticipatory bail, in



the event of his arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Manpur P.S. Case No.191 of 2022 to the satisfaction of learned ACJM,Vth, Nalanda at Biharsharif, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions that:

(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 will make himself available to the police as and when required in course of investigation;

(iii) 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/her bail bond by the Trial court itself;

(iv) the petitioner shall appear before the concerned police station every month for next one year to mark attendance;

(v) 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;

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

(Rajiv Roy, J)

Prakash Narayan /
Sunil

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