

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22365 of 2023**

Arising Out of PS. Case No.-110 Year-2021 Thana- NOWKOTHI GARHPURA District-  
Begusarai

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MANNA YADAV @ BISHESHWAR YADAV Son of Rampukar Yadav R/V-  
Dumaria Ps- Nowkothi Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sudish Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      14-07-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

Petitioner seeks bail, who is in custody since  
22.12.2022, in connection with Nowkothi P.S. Case No. 110 of  
2021, F.I.R. dated 03.08.2021 registered for the offences  
punishable under Sections 341, 323, 504, 506, 307, 34 of the  
Indian Penal Code.

Allegation against the petitioner is that he along with  
other co-accused persons had opened fired upon the informant  
due to which he sustained bullet wound on his right chest.

Learned counsel for the petitioner submits that the  
petitioner is innocent and he has been falsely implicated in the  
present case. He further submits that all the accused persons



including the petitioner are own cousin brothers of the informant and due to admitted land dispute the present occurrence had taken place. He further submits that as per allegation in the F.I.R. the petitioner and other co-accused had fired upon the informant and co-accused Mangal Yadav has been granted bail by the learned Court below itself and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 22.12.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries three more cases other than the present one in which he is on bail in all the cases.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail, **after framing of charge, if not framed**, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Nowkothi P.S. Case No. 110 of 2021, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and



on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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