

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41705 of 2023

Arising Out of PS. Case No.-226 Year-2021 Thana- MANSI District- Khagaria

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Ganvar Yadav @ Gabbar @ Rajbabbar Yadav @ Ganbar Son Of Natho Yadav
@ Bageshwar Yadav Resident of Village- Chukti P.O - MANSI, Distirct-
Khagaria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Parmatma Singh, Advocate

For the Opposite Party : Mr. Rajesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner seeks bail in connection with Mansi P.S. Case No. 226 of 2021 dated 19.08.2021, instituted for the offences punishable under Sections 147, 148, 149, 323, 307, 302, 504 and 506 of the Indian Penal Code.

3. The prosecution case, in short, is that on 18.08.2021, at about 04:00 pm, while informant along with her husband was going to field, then the petitioner with other co-accused persons surrounded her husband and assaulted and abused her, her husband and her brother-in-laws. It is further alleged that all the injured persons were taken to Sadar hospital, Khagaria from where they were referred for better treatment, but her husband died on the way.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and he has falsely been implicated in this case. It is submitted that the allegation against the petitioner is general and omnibus in nature and there is no specific allegation of assault lodged against any of the accused person. It is further submitted that one similarly situated person, namely, Shravan Yadav has been granted anticipatory bail by a co-ordinate Bench of this Court *vide order dated 22.12.2022, passed in Cr. Misc. No. 45100 of 2022*. Lastly, it has been submitted that the petitioner is in custody since 26.04.2023, has one criminal antecedent and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge Vth, Khagaria in Mansi P.S. Case No. 226 of 2021.

(Khatim Reza, J)

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