

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62798 of 2023

Arising Out of PS. Case No.-150 Year-2023 Thana- MANJHAGARH District- Gopalganj

1. Ranjit Yadav, aged about 35 years, Male, son of Basdev Yadav.
2. Binod Yadav @ Balthokar, aged about 40 years, Male, Son of Late Vishwanath Yadav.
3. Ankit Yadav, aged about 19, Son of Basdev Yadav.
4. Basdev Yadav, aged about 60 years, Male, Son of Sita Yadav.
5. Dhrup Yadav, aged about 20 years, Male, Son of Yogendra Yadav.
6. Binod Yadav, aged about 20 years, Male, Son of Rajendra Yadav.
All resident of Village- Emuliya, P.S.- Manjhagarh District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naresh Prasad, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-10-2023 Heard Mr. Naresh Prasad, learned counsel

appearing on behalf of the petitioners and Mr. Ajit Kumar,

learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Manjhagarh P.S. Case No. 150 of 2023 registered for the offence punishable under Sections 341, 323, 379, 354B, 427, 436, 504 and 506/34 of the Indian Penal Code.

3. As per the allegation made in the FIR, due to enmity, accused persons named in the FIR had ransacked the crop as well as fence and residential hut of the informant.



Petitioners had also assaulted the wife of the informant and tried to outrage her modesty and snatched away gold Mangal-Sutra and ear-ring from her neck.

4. Learned counsel appearing on behalf of the petitioners submitted that there is general and omnibus allegation against all the six petitioners. The informant side may have received injury in course of fierce fight but the same was not caused by the petitioners intentionally rather in self defence. Petitioners have clean antecedent. On these grounds, petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR against the petitioner being general and omnibus in nature and the petitioners have clean antecedent, the District Court is directed to verify the injury report relating to the injured persons.

7. In case, injuries are not grievous in nature, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand)



each with two sureties of the like amount each to the satisfaction of learned C.J.M., Gopalganj, in connection with Manjhagarh P.S. Case No. 150 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The Court below is directed to verify the criminal antecedent of the petitioners as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners as what has been stated in paragraph no. 3, this order will loose its force automatically.

(Purnendu Singh, J)

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