

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11226 of 2024

Arising Out of PS. Case No.-284 Year-2023 Thana- MANSI District- Khagaria

1. Manish Yadav @ Manish Kumar S/O SOCHO YADAV VILLAGE- SAIDPUR, WARD NO. 17, PS. MANSI, DIST. KHAGARIA.
2. RAJNISH YADAV S/O SOCHO YADAV VILLAGE- SAIDPUR, WARD NO. 17, PS. MANSI, DIST. KHAGARIA.
3. NITISH YADAV @ NITESH KUMAR S/O SOCHO YADAV VILLAGE- SAIDPUR, WARD NO. 17, PS. MANSI, DIST. KHAGARIA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-03-2024 1. Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Learned counsel for the petitioners, at the outset, seeks permission to withdraw the present anticipatory bail application with respect to petitioner no. 3 (Nitish Yadav @ Nitish Kumar)

3. Permission is accorded.

4. Accordingly, the present anticipatory bail application is dismissed as withdrawn with respect to petitioner no. 3.

5. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 504, 385, 506, 379 and 34 of the Indian Penal Code read with



Section 27 of the Arms Act.

6. Learned counsel for the petitioners submits that petitioners are person with clean antecedent.

7. The informant alleges that while he was coming back home he was intercepted by the accused persons including the petitioners and Manish Yadav (petitioner no. 1) assaulted him by butt of a country made pistol on head causing injury thereafter petitioner no. 2 snatched Rs. 3,000/- and Rajan Kumar snatched his locket while Nitish assaulted by an iron rod causing injury on hand.

8. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that no doubt there is allegation of assault by Manish on head of the informant by butt of a country made pistol but then from perusal of the order impugned, it would manifest that no injury is recorded. It is further submitted that the order impugned was passed after perusing the case diary. It is thus submitted that had the informant suffered any injury in that event the same would have been recorded in the case diary and taken note of in the order impugned. It is next submitted that allegation of snatching Rs. 3,000/- is ornamental when petitioners are admittedly persons with clean antecedent.

9. Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioners and submits that there is a direct allegation against Manish of assaulting the informant on head by butt of a pistol causing injury.

10. Considering the submissions made by the learned counsel for the petitioners, the petitioner nos. 1 and 2, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Mansi P.S. Case No. 284 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

11. However, it is made clear that the learned Trial Court before accepting the bail bonds of Manish shall verify the injury report of the informant and in the event if it is found that the informant suffered any injury on head whether simple or grievous in that event the present order shall not be given effect to, but if no injury is found on head of the informant then the bail bonds of Manish shall be accepted forthwith.

(Satyavrat Verma, J)

Rishabh/-

U		T	
---	--	---	--

