

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10869 of 2024

Arising Out of PS. Case No.-529 Year-2023 Thana- GOVINDGANJ District- East
Champaran

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Mannu Sah @ Mannu Kumar Son of Nathu Sah @ Nathu Prasad R/o vill -
Tingachhiya, P.O. and P.S - Govindganj, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pravin Kumar

For the Opposite Party/s : Mr.Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Govindganj
P.S. Case No. 529 of 2023 registered for the offences
punishable under Sections 353(A), 341, 323, 307, 504, 342, 34
of the Indian Penal Code.

3. As per the prosecution case, on the basis of secret
information, when the informant along with other police
officials reached at the petrol pump, its owner told her that two
persons had stopped the vehicle of Sudha Dairy and threatened
driver and *khalasi* of the vehicle and fled away. They also
demanded *rangdari* from the driver. Police team chased the
accused persons. On *hulla*, several male and female assembled



there and tore the uniform of constables and with an intention to commit murder, they assaulted the police team due to which they sustained injuries. Accused Baccha Sah was apprehended by the police and disclosed the names of the petitioner and other co-accused persons, who were involved in the occurrence.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to village politics. The allegation levelled against the petitioner is totally false and based on concocted facts. He was neither apprehended on the spot nor any incriminating article has been recovered from his possession. The name of the petitioner has been transpired in the present case merely on the basis of the confessional statement of the apprehended co-accused, namely, Bachha Sah. There is no eye witness in the present case. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail and submits that petitioner along with other co-accused persons were actively involved in the alleged occurrence. Hence, petitioner does not deserve the privilege of anticipatory bail.

6. Having regard to the facts and circumstances of the



case as well as considering the nature of offence, I am not inclined to enlarge the petitioner on anticipatory bail.

7. The prayer for anticipatory bail of the petitioner is hereby rejected.

8. However, if petitioner surrenders before the learned Court below within six weeks from today and seeks regular bail, the learned Court below shall pass order on the same day in accordance with law without being prejudiced by this order considering the fact that there is no specific overt act against the petitioner.

(Anjani Kumar Sharan, J)

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