

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24039 of 2024

Arising Out of PS. Case No.-569 Year-2023 Thana- PURNEA SADAR District- Purnia

1. MANISH KUMAR SON OF MANTU @ MANTA YADAV RESIDENT OF VILLAGE- DIWANGANJ WARD NO. 4, PS- MUFFASIL, DIST- PURNEA
2. KANISH KUMAR @ KANISHK KUMAR SON OF MANTU @ MANTA YADAV RESIDENT OF VILLAGE- DIWANGANJ WARD NO. 4, PS- MUFFASIL, DIST- PURNEA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Praveen Kumar Agrawal, Advocate
For the State	:	Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-09-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 307, 302, 120B, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, on 23.06.2023 at 9:40 AM, father of the informant had a fight with uncle of informant, namely Mantu @ Manta Yadav, over picking up cow dung and informant's uncle, pushed his father and started abusing. Thereafter, it is alleged that all the F.I.R. named accused persons, including these petitioners and three unknown persons, under a criminal conspiracy, came to kill father of informant and



co-accused Mantu @ Manta Yadav took a pistol from his waist and fired in chest of father of informant, as a result of which father of informant died. Thereafter, these petitioners fired upon informant and his brother, but no one sustained any injuries.

4. It is submitted by learned counsel appearing on behalf of the petitioners that from bare perusal of the F.I.R. it is apparent that specific accusation of causing death of father of informant is against co-accused Mantu @ Manta Yadav. So far as these petitioners are concerned, they are only alleged to have fired but no one has sustained any fire arm injuries. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the aforesaid rival submissions, nature of accusation and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Purnea, in connection with Sadar (Muffasil) P.S. Case No. 569 of 2023,



subject to condition as laid down under Section 438(2) of the
Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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