

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29487 of 2024

Arising Out of PS. Case No.-43 Year-2022 Thana- FATUA District- Patna

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1. Manohar Yadav Son Of Late Gorakh Rai Resident Of Village- Kismiriya, Ps- Fatuha, Dist- Patna
 2. Vikky Kumar Son Of Bharosa Yadav @ Manohar Yadav Resident Of Village- Kismiriya, Ps- Fatuha, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Kumar

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 15-05-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners apprehend arrest in connection with Fatuha PS Case No.43 of 2022 dated 16-01-2022, instituted under Sections 147,148,149, 341, 323, 307, 353, 186, 332, 333, 504 and 506 of the Indian Penal Code.

3. The prosecution case, in brief, is that petitioners along with other accused persons disturbed the police force from their duty. They were attacked on the police force by bricks and stones on account of which some police forces sustained injury. They were succeeded to escape the accused persons and victim of the Fatuha PS Case No. 15 of 2022.



4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that the FIR has been lodged against 13 named accused persons and 15 to 20 unknown persons. The petitioners are named accused persons. There is no specific allegation against the petitioners rather the allegation against the petitioners is general and omnibus. It is further submitted that petitioners have no concern with victim, namely, Tanupam Kumari and the accused persons of Fatuha PS Case No. 15 of 2022 and there is no relation with the accused persons. The petitioners have been implicated in the instant case on the basis of a false information. Lastly, it has been submitted that the petitioners have no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM Patna City, Patna, in Fatuha PS Case No.43 of 2022, subject to the conditions laid down in Section 438(2) of



the Code of Criminal Procedure,1973.

7. The application stands allowed.

(Khatim Reza, J)

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