

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34336 of 2024

Arising Out of PS. Case No.-373 Year-2023 Thana- MANSI District- Khagaria

1. Chhotu Yadav Son Of Sulo Yadav Village- Saidpur, P.S.- Mansi, Dist- Khagaria
2. Gaurav Kumar Son Of Sulo Yadav Village- Saidpur, P.S.- Mansi, Dist- Khagaria
3. Saheb Yadav Son Of Sulo Yadav Village- Saidpur, P.S.- Mansi, Dist- Khagaria
4. Sulo Yadav Son Of Late Uchit Yadav Village- Saidpur, P.S.- Mansi, Dist- Khagaria

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Abdul Manaam Khan, Advocate
For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 06-06-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners in the present case are seeking pre-arrest bail in connection with Mansi P.S. Case No. 373 of 2023 registered for the offences punishable under Sections 323, 452, 307, 380, 354, 325, 506/34 of the Indian Penal Code. As per paragraph ‘3’, petitioner nos. 1 and 3 have no criminal antecedent whereas petitioner nos. 2 and 4 have one criminal antecedent.

3. As per the prosecution story, the accused persons named in the FIR entered into the house of the informant and



caused assault upon the husband of the informant by iron rod for not compromising the earlier case vide Mansi P.S. Case No. 88 of 2023. It is further alleged that the accused persons also snatched away golden chain and cash.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. It is submitted that the instant case has been filed on 21.11.2023 for the alleged occurrence of 18.10.2023. This case is the counter-blast of the case lodged by petitioner no. 4.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having regard to the materials available on the record showing that the petitioner nos.1 and 2 assaulted the husband of the informant causing fracture of his left hand and other injuries on the body whereas petitioner No. 3 assaulted her husband on his head and the injury report available on the record corroborates the allegations, further noticing that the alleged occurrence took place for putting pressure upon the husband of the informant to drop the case being Mansi P.S. Case No. 88 of 2023 registered under Sections 363 and 365/34 of Indian Penal Code in which petitioner nos. 2 and 4 are on bail and it was registered for the alleged kidnapping of the daughter



of the informant, this Court is not inclined to grant privilege of anticipatory bail to petitioner nos. 1, 2 and 3. It is noticed that so far as petitioner no. 4 is concerned, even as there is no allegation of commission of overt act against him but there is an allegation that he was also there in the occurrence with a *lathi*, he is one of the accused in the Mansi P.S. Case No. 88 of 2023 and the present occurrence took place to pressurize the husband of the informant to drop the said case, this Court is not inclined to grant privilege of anticipatory bail to the petitioner no. 4 also..

7. The prayer for anticipatory bail of the petitioners is refused.

8. If the petitioners surrender before the learned trial court within a period of four weeks from today and pray for regular bail, their prayer for regular bail shall be considered on its own merit without being prejudice by the order of this Court.

9. This application stands disposed of.

(Rajeev Ranjan Prasad, J.)

SUSHMA2/-

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

