

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38129 of 2024

Arising Out of PS. Case No.-785 Year-2023 Thana- SAUR BAZAR District- Saharsa

Manoj Yadav S/O Aniruddh Yadav Resident of Village-Bhagwanpur, P.S-Saur
Bazar, District-Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate
For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 05-07-2024 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in Saur Bazar P.S. Case No. 785 of 2023, instituted for the offences punishable under Sections 399, 402, 147, 148, 149, 342, 323, 324, 325, 307, 332, 333, 337, 338, 336, 353, 224 and 225 of the Indian Penal Code.

3. The prosecution case, in short, is that, while patrolling, police party were attacked by the accused persons including the petitioner by various means, due to which they sustained injuries.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner



also submits that the allegation levelled against the petitioner is not specific, rather general and omnibus in nature. The injuries of the injured were grievous and on non-vital part of the body. The petitioner is in custody since 11.12.2023 and has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 27.06.2024 passed in Cr. Misc. No. 44742 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, taking into account the period of custody undergone by the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Saur Bazar P.S. Case No. 785 of 2023.

(Rudra Prakash Mishra, J)

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