

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.49947 of 2024**

Arising Out of PS. Case No.-287 Year-2022 Thana- SULTANGANJ District- Bhagalpur

Mantu Yadav Son Of Late Devan Yadav R/O- Village- Tilakpur, P.S.-  
Sultangaj, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bijendra Kumar, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

3      31-08-2024                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with  
Sultanganj P.S. Case No. 287 of 2022, lodged on 17.08.2022,  
under Sections 147, 148, 149, 341, 323, 385, 386, 387, 504, 506  
and 307 of the Indian Penal Code and Section 27 of the Arms  
Act.

3. As per the prosecution, the FIR has been lodged  
against nine named accused persons including the present  
petitioner against whom there is an allegation that they all  
surrounded the informant and attacked him. Additionally, there is  
an allegation of firing on the other co-accused persons due to  
which informant's father was injured.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. Counsel submits that there is general and omnibus allegation against the present petitioner that he is a member of mob and there is neither act or overt act against the present petitioner. Counsel submits that there are three criminal antecedents mentioned in paragraph No. 3 of the bail petition against the present petitioner but subsequently, upon correct information, three more cases have been found against him and in total there are six criminal cases pending against him and he is on bail in all cases. Counsel further submits that the other co-accused persons have been granted bail by this Court vide order dated 27.02.2024 passed in Cr. Misc. No. 65664 of 2023 which is annexed as Annexure- P/2 and by the co-ordinate Bench of this Court vide order dated 04.03.2024 passed in Cr. Misc. No. 73667 of 2022 which is annexed as Annexure- P/2(A) respectively. Counsel also submits that the petitioner is ready to fulfill all conditions whatsoever shall be imposed upon him.

5. Learned A.P.P. for the State opposes the prayer for bail and submits that in the FIR, there is general and omnibus allegation against the present petitioner but criminal antecedent of the petitioner is not clean, therefore, at the time of considering the bail application of the petitioner, this aspect must be taken into consideration.



6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, after framing of charge, if not framed, as well as on being satisfied by the Trial Court that the petitioner is not absconding in any cases which are pending against him whose details are mentioned below, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 1<sup>st</sup>, Bhagalpur, in connection with Sultanganj P.S. Case No. 287 of 2022, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

7. Pending cases against the present petitioner are as follows:-

- (i) Sultanganj P.S. Case No. 238 of 2021.
- (ii) Sultanganj P.S. Case No. 29 of 2020.
- (iii) Sultanganj P.S. Case No. 487 of 2023.
- (iv) Sultanganj P.S. Case No. 205 of 2011.
- (v) Sultanganj P.S. Case No. 222 of 2011.
- (vi) Sultanganj P.S. Case No. 125 of 2007.

**(Dr. Anshuman, J.)**

Aman Kumar/-

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