

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55835 of 2024

Arising Out of PS. Case No.-166 Year-2021 Thana- MANJHAGARH District- Gopalganj

Mithun Yadav, aged about 24 years, (Male), Son of Jhulan Yadav, Resident of
Village- Madhusareya, P.S.- Manjhagarh, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Adesh Raj Singh, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 31-08-2024 Heard Mr. Adesh Raj Singh, learned counsel
appearing on behalf of the petitioner and Mr. Bhanu Pratap
Singh, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Manjhagarh P.S. Case No. 166 of 2021, registered for the
offence punishable under Sections 147, 341, 323, 324, 307, 504
and 506 of the Indian Penal Code.

3. As per the allegation made in the FIR, when the
informant went to accused persons to return his dues, petitioner
along with other accused persons had assaulted the informant
with an intention to kill him. Specific allegation against the
petitioner is that he had caught hold the informant.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely



been implicated in the present case. There is no allegation against the petitioner that he is the one, who had assaulted the informant causing injury in his abdomen. He further submitted that petitioner and informant are agnate and due to land dispute, the petitioner has been named in a false criminal case. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that specific allegation against the petitioner is that he had caught hold the informant, petitioner and informant are agnate and due to land dispute, the petitioner has been named in a false criminal case. Petitioner has clean antecedent. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the District Court within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj, in



connection with Manjhagarh P.S. Case No. 166 of 2021, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The Court below is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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