

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 60478 of 2024

Arising Out of PS. Case No.-128 Year-2024 Thana- MANSI District- Khagaria

-
1. Dharmendra Yadav S/O Chano Yadav All Are Resident Of Village- Saidpur, P.S- Mansi, District- Khagaria.
 2. Indrajeet Yadav @ Indrajeet Kumar S/O Late Harinandan Yadav All Are Resident Of Village- Saidpur, P.S- Mansi, District- Khagaria.
 3. Chunchun Yadav S/O Lukho Yadav All Are Resident Of Village- Saidpur, P.S- Mansi, District- Khagaria.
 4. Pandav Yadav S/O Late Harinandan Yadav @ Haro yadav All Are Resident Of Village- Saidpur, P.S- Mansi, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Singh, Advocate
For the State : Mr. Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-09-2024 Heard Mr. Rahul Singh, learned counsel for the
petitioners and Mr. Atul Chandra, learned APP for the State.

2. Learned counsel for the petitioners seeks
permission to withdraw this application as against the petitioner
no.2, as he has already been arrested by the police, during
pendency of this application.

3. Permission is granted.

4. Accordingly, the instant application as against the
petitioner no.2 is dismissed as withdrawn.

5. Now, this application is being heard for



consideration of anticipatory bail as against the petitioner no.1, 3 & 4 only.

6. The petitioner nos.1, 3 & 4 are apprehending their arrest in connection with Mansi P.S. Case No. 128 of 2024, F.I.R. dated 14.05.2024 for the offences punishable under Sections 147, 148, 149, 341, 323 and 307 of the Indian Penal Code.

7. According to prosecution case, when the informant was sitting at his home after dinner then, all the accused persons armed with gun, iron rod and lathi etc. has assaulted him due to which he received injury.

8. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that although the petitioners are named in the FIR but it appears from the FIR that there is no accusation of any assault or overt act is against these petitioners rather there is general and omnibus allegation against these petitioners and specific allegation of assault is attributed against the co-accused person, namely, Mukesh Yadav.

9. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of



the petitioner nos.1, 3 & 4.

10. Considering the aforesaid facts, the petitioners having clean antecedent and there is no specific allegation of any assault or overt act is attributed against these petitioners, let the petitioner nos.1, 3 & 4, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Mansi P.S. Case No. 128 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. petitioner nos.1, 3 & 4 shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner nos.1, 3 & 4 tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.



iii. And further condition that the court below shall verify the criminal antecedent of the petitioner nos.1, 3 & 4 and in case at any stage it is found that the petitioner nos.1, 3 & 4 have concealed their criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioner nos.1, 3 & 4. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

ajay/-

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

