

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80561 of 2024

Arising Out of PS. Case No.-174 Year-2024 Thana- MANSI District- Khagaria

Viveka Yadav @ Vivekanand Yadav S/O Prakash Yadav @ Ramprakash
Yadav R/O Village- Saidpur, P.S- Mansi, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Adv.

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP

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

ORAL ORDER

2 20-11-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Mansi
P.S. Case No. 174 of 2024 instituted for the offences under
Sections 191(2), 191(3), 126(2), 115(2), 109, 117(2), 351(2),
352 of the B.N.S.

3. As per prosecution case, the accusation against the
accused persons including the petitioner is of abusing and
assaulting the Informant's husband, her son and her daughter-in-
law by means of iron rods, sticks etc. due to which they
sustained grievous injuries on their persons and were taken to
hospital for treatment.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. Both the parties are Gotia to each other and there is an admitted land dispute between the parties. There is no direct or specific allegation of assault against the petitioner rather the same is general and omnibus in nature. The specific allegation of assault is against the co-accused Barun Yadav who assaulted upon the head of Gautam Yadav as also on other co-accused Manohar Yadav who assaulted by means of iron rod upon the hand and shoulder of Gautam Yadav. The petitioner has one criminal antecedent and is languishing in judicial custody since 27.08.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the petitioner is named in the F.I.R. and the allegation levelled against the petitioner is serious in nature and, hence, he does not deserve bail.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no direct allegation of assault, let the



petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mansi P.S. Case No. 174 of 2024.

(Rudra Prakash Mishra, J)

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