

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1415 of 2024

Arising Out of PS. Case No.-56 Year-2023 Thana- MANSI District- Khagaria

-
1. PANDAV KUMAR @ PANDAV YADAV, aged about 37 years, Male, S/O HARO YADAV
 2. PANKAJ YADAV @ PANKAJ @ PANKAJ KUMAR, aged about 41 years, Male, S/O LATE ASHOK YADAV
Both are R/O VILLAGE- MATIHANI, P.S- MANSI, DISTT.- KHAGARIA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai, Advocate
For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 31-01-2024 Heard Mr. Ram Sumiran Rai, learned counsel appearing on behalf of the petitioners and Mr. Pradeep Narain Kumar, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Mansi P.S. Case No. 56 of 2023 dated 03.03.2023 registered for the offence(s) punishable under Sections 342, 323, 307, 379 and 511/34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the petitioners have committed theft of buffalo of the informant and they also assaulted her brother.

4. Learned counsel appearing on behalf of the petitioners submitted that due to dispute relating to a passage,



the petitioners, being the neighbours of the informant, have been implicated into a false case on false accusation. Petitioners have not committed any offence, as alleged in the FIR. The injury report is not on record.

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

6. Considering the nature of allegation, as well as, the fact that petitioners and informant are neighbors and *prima facie*, it appears that the dispute is due to a passage, I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Khagaria in connection with /Mansi P.S. Case No. 56 of 2023, subject to the conditions 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 petitioners and if it is found that the petitioners are involved in some other cases, as what has been stated in



paragraph no.3 of the bail application, this order will
automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

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

