

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1873 of 2024

Arising Out of PS. Case No.-210 Year-2023 Thana- MANJHAGARH District- Gopalganj

Jay Nath Yadav @ Jaynath kumar Yadav Suraj Yadav Resident Of Village -
Dharamparsa Ahirtoli, P.S. Manjhagarh, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Mahtab Ahmad, Advocate

For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP

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

ORAL ORDER

4 12-07-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection with Manjhagarh P.S. case No. 210 of 2023 instituted for the offences under Sections 147, 148, 149, 341, 323, 324, 307, 302, 504, 506 of the Indian Penal Code.

3. Prosecution allegation, in short, is that the petitioner and other co-accused are said to have assaulted the informant, brother of the informant and others. It is alleged that petitioner assaulted indiscriminately to the informant's brother by means of iron rod and also crushed his body by the tractor due to which he died. It is further



alleged that co-accused, namely, Raj Kumar fired on the Babu Chand Yadav as a result of which he also sustained injury on his left hand.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. There is pre-existing land dispute between the parties. The petitioner has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submits that there is specific allegation of firing is attributed against the petitioner due to which the injured died. Hence, he does not deserve bail. Co-accused of this case, namely, Babulal Yadav has been granted regular bail by this Bench vide order dated 05.03.2024 passed in Cr. Misc. No. 13460 of 2024.

6. Considering the facts and circumstances of the case as also the nature of accusation against the petitioner and the gravity of the offence, I am not inclined to grant anticipatory bail to the petitioner as this is not a fit case for grant of anticipatory bail. The prayer is rejected.



7. However, if the petitioner surrenders in the Court below within a period of four weeks and prays for regular bail, the same shall be considered on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

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