

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6659 of 2024

Arising Out of PS. Case No.-486 Year-2023 Thana- BANKA District- Banka

Monu Yadav @ Mani Yadav Son Of Mantu Yadav Resident Of- Banka,
Behind Hospital, Ward No-14, P.S.-BANKA, District- Banka,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rakiesh Kumar Ranjan, Advocate
		Mr. Narendra Kumar Choubey, Advocate
For the Opposite Party/s	:	Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 17-02-2024 Heard Ld. counsel for the petitioner and Ld. APP
for the State.

2. The Petitioner apprehends his arrest, in connection with Banka P.S. Case No. 486 of 2023 dated 24.08.2023, registered for the offences punishable under Sections 143, 149, 341, 323, 324, 379, and 307 of the Indian Penal Code.

3. The prosecution case as emerges from the FIR is that when the informant was returning home on his motorcycle, the accused persons stopped him and snatched his key and mobile phone and also assaulted him over his head with bamboo, due to which he fell on the ground and local people took him to the hospital.

4. Ld. counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. He further submits that there is no specific allegation of assault against the Petitioner. He also submits that similarly situated co-accused, Bali Mandal has already been enlarged on anticipatory bail by a coordinate Bench of this Court vide order dated 04.01.2024 passed in Cr. Misc. No. 77231 of 2023.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It is also stated in paragraph no. 3 of the bail petition that the petitioner has been made accused in one other case in which he is on bail.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, this application is allowed, directing the petitioner, above-named, to be enlarged on bail in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Chief Judicial Magistrate, Banka in



connection Banka P.S. Case No. 486 of 2023, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has given wrong statement regarding his criminal antecedents, Ld. court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bond of the petitioner.

9. Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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