

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33810 of 2025

Arising Out of PS. Case No.-282 Year-2024 Thana- BARARI District- Katihar

Manoj Yadav S/o Mukti Yadav R/o- Darwe, Gurubazar, P.S.- Barari, Distt-
Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the State : Mr. Humayou Ahmad Khan, APP.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 27-05-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 103(1), 61(2) of the B.N.S.,
2023.

3. The prosecution case as disclosed in the FIR is that
four accused persons including the petitioner along with some
other miscreants called the informant's son Vishal Kumar to the
house of co-accused Akhilesh Yadav and assaulted him brutally
by tying his hands and legs. The injured was taken to the referral
hospital where he was declared dead.

4. Learned counsel for the petitioner submits that as a
matter of fact, the deceased Vishal Kumar was allegedly



involved in criminal activities and several cases were pending against him. It is further submitted that no concrete evidence has been collected against the petitioner during the course of investigation. Further, it has been pointed out that the informant is not an eyewitness to the present occurrence and has lodged this case after getting information through someone. It is also submitted that there is general and omnibus allegation on all the accused persons and no specific allegation has been attributed to the petitioner. Further, it has also been pointed out that on the basis of such general and omnibus allegation, the other accused persons named in the FIR, who was similarly situated, have been granted bail by the learned Court below and also by a Co-ordinate Bench of this Court. It is next submitted that co-accused Akhilesh Yadav, in whose house the said occurrence is said to have taken place, has also been granted bail by a Co-ordinate Bench vide order dated 30.04.2025 passed in Cr. Misc. No. 23739 of 2025 and the Co-ordinate Bench has considered that during investigation, it has transpired that the deceased was assaulted by a mob and the police was informed by one Ravi Kumar on 112 and only thereafter, the dead body of the deceased was recovered and it thus appeared that the mob had killed the deceased. It is further



submitted that petitioner has been languishing in custody since 20.03.2025 with no criminal antecedent.

5. Learned APP for the State, however, opposes the prayer for regular bail.

6. Considering the above-mentioned facts and circumstances and particularly that the other co-accused persons have been granted bail even by a Co-ordinate Bench of this Court, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Barari P.S. Case No. 282 of 2024, subject to the following conditions that:

(1) One of the bailors will be a family member or a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner.

(2) If the charge sheet has not been submitted against the petitioner, he would make himself physically present before the Investigating Officer of the concerned Police Station at an interval of every 15 days till the charge sheet is submitted.

(3) The petitioner shall remain physically present in the court on each and every date during trial and in the event of



failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(Soni Shrivastava, J)

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