

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35606 of 2025

Arising Out of PS. Case No.-754 Year-2022 Thana- GAURICHAK District- Patna

Mantu Kumar @ Manjay Kumar @ Mantu Yadav S/O Babu Saheb Yadav @
Ram Narayan Yadav R/O Village- Kazi Bigha, P.S- Gaurichak, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudal Prasad, Advocate

For the State : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-06-2025 Heard Mr. Rudal Prasad, learned counsel for the

petitioner and Mr. Chandra Sen Prasad Singh, learned APP for the

State.

2. The petitioner is apprehending his arrest in connection with Gaurichak P.S. Case No. 754 of 2022, F.I.R. dated 09.11.2022 registered for the offences punishable under Sections 147, 341, 323, 324, 307, 379, 354, 504 and 506 of the Indian Penal Code.

3. Petitioner along with other accused persons are said to have assaulted the informant's side by means of weapons due to which they sustained injuries.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in



the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. Although, the petitioner is named in the F.I.R. but from perusal of the F.I.R. it appears that there is no specific allegation of any assault or overt act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner. He further submits that the injury inflicted upon the injured person is simple in nature. He further submits that co-accused person namely Indrajeet Yadav @ Phujji Yadav @ Indrajeeet Kumar has been granted the privilege of anticipatory bail by a Coördiante Bench of this Court vide order dated 17.10.2023 passed in Cr. Misc. No. 62628 of 2023 (Annexure P/3), another co-accused persons namely Mukesh Yadav, Dablu Yadav @ Dablu Kumar and Pintu Kumar @ Pintu Yadav have been granted the privilege of anticipatory bail by a Coordinate Bench of this Court vide order dated 19.03.2024 passed in Cr. Misc. No. 57518 of 2023 (Annexure P/4) and the case is the petitioner is of similar footing.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner and submits that there is specific allegation against the petitioner that he along with other co-accused persons have assaulted the wife of the informant and apart from that the petitioner carries two more cases other than the present one.



6. Considering the facts and circumstances of the case and the fact that there is no specific allegation of any assault or overt act attributed against the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released 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 learned Additional Chief Judicial Magistrate-II, Patna City, Patna in connection with Gaurichak P.S. Case No. 754 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his



criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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