

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35486 of 2025

Arising Out of PS. Case No.-141 Year-2024 Thana- HARPUR District- Munger

Mantu Yadav S/o- Late Sushil Yadav Mohalla- Belllbihma PS-Harpur Distt-
Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jyoti Ranjan Jha, Adv.

For the Opposite Party/s : Mr.Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 05-06-2025 Heard Learned Counsel for the petitioner, learned
APP for the State and Learned Counsel for the Informant.

2. The present Criminal Miscellaneous application has been filed under Sections 483 and 484 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as “the BNSS”) for seeking regular bail in connection with Harpur Case No.141 of 2024 lodged on 03.12.2024 sections 103(1), 3(5) and 61(2) of the BNS.

3. As per the prosecution, the FIR has been lodged against 2 named and one unknown accused persons including petitioner against whom there is allegation that they have killed the father of the informant for the land dispute. It has also been alleged that the accused person used to threaten his father continuously and subsequently, they have killed his father. It



has also been alleged that uncle of the informant was also assaulted by the accused persons for which case is also pending.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that FIR has been lodged on 03.02.2024 whereas documents relating to occurrence has already been prepared prior to lodging of the present FIR. He further submits that the petitioner was not present at the spot where the said occurrence took place.

5. Counsel further submits that the petitioner is in custody since 14.01.2025 and his antecedent is not clean. There is one criminal case pending against him.

6. Learned Counsel for the Informant vehemently opposes the prayer for bail and submits that petitioner is involved in commission of crime as there is specific suspicion raised in the present case.

7. Counsel further submits that as soon as news of death has become intimated to the police, the police reached and prepared inquest, search and seizure, etc., but after last rites, the informant has filed an FIR and cause of delay has also been explained. He further submits that in this way, there is no discrepancies in filing in the FIR.

8. Learned APP for the State opposes the prayer for



bail and submits that from the FIR, it transpires that there is no eye witness of the said occurrence.

9. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **but only after framing of charge, if not framed** as well as on being satisfied by the trial court that the petitioner is not absconding in the case, i.e., Harpur P.S. Case no.86 of 2024, which is pending against him, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) as mentioned in Section 2(1) (d) of the BNSS, 2023 to the satisfaction of J.M.-1st Class, Munger in connection with Harpur Case No.141 of 2024, subject to the following conditions as laid down under Section 480(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the following condition:-

(I) the petitioner shall appear before the concerned police station every month for one year to mark attendance.

(Dr. Anshuman, J.)

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