

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40067 of 2025

Arising Out of PS. Case No.-314 Year-2024 Thana- MANSI District- Khagaria

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1. Manish Yadav @ Manish Kumar Son Of Devan Yadav Resident Of Village-Jalimbabu Tola, P.S.- Mansi, Distt.- Khagaria
 2. Apo Yadav @ Anupal Yadav @ Anuplal Yadav Son Of Devan Yadav Resident Ofvillage-Jalimbabu Tola, P.S.- Mansi, Distt.-Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-07-2025 Heard Mr. Ranjeet Kumar Singh, learned counsel for the petitioners and Mr. Choubey Jawahar, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Mansi P.S. Case No. 314 of 2024, F.I.R. dated 24.012.2024 for the offences punishable under Sections 126(2), 352, 351(2), 115(2), 117(2), 109, 191(2), 191(3), 190, and 75 of the B.N.S.

3. The case of prosecution, in brief, as per written report by informant Amarjeet Kumar alleging therein that on dated 23.12.2024 at about 07:00 A.M., by forming an illegal group and armed with weapons, surrounded the informant brother's Sanoj Yadav with the intention of killing, all of them



started hitting him with the rod in their hands. In which Vipin Yadav was hit on the head (informant's brother) by the rod. Informant brother's fell down & blood oozing, when informant came to save him they were pushed away. When informant raised an alarm, seeing the villagers coming, they all started abusing and threatening him and left. With the help of the villagers got his unconscious brother admitted to Mansi Hospital for treatment.

4. Learned counsel for the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case due to some petty dispute. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offences as alleged in the F.I.R. He further submits that although the petitioners are 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 against these petitioners rather there is general and omnibus allegation against all the accused persons including these petitioners and the specific allegation of assault is attributed against co-accused persons, namely, Bipin Yadav and the allegation against the Bipin Yadav is that he assaulted the brother of the informant, Sanoj Yadav and the injury report of the Sanoj Yadav suggests



that the injury is grievous in nature.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners and submits that the petitioners are named in the F.I.R and apart from that both the petitioners have participated in the present crime in question.

6. Considering the aforesaid facts, the petitioners have clean antecedent and there is no specific allegation of any assault or over act against these petitioners, let the petitioners, above named, in the event of 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/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate Ist Class, Khagaria, in connection with Mansi P.S. Case No. 314 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023 and with other following conditions:-

i. Petitioners 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 their absence on two consecutive dates without



sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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