

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40998 of 2025

Arising Out of PS. Case No.-36 Year-2025 Thana- MANIGACHI District- Darbhanga

1. JHOKHAN YADAV @ JOKHAN YADAV S/O LATE BALE YADAV Resident of Village- Kanokhar, Police Station- Manigachhi, District- Darbhanga
2. Indal Yadav S/o Late Ramlakhan Yadav Resident of Village- Kanokhar, Police Station- Manigachhi, District- Darbhanga
3. Devan Yadav S/o Late Bale Yadav Resident of Village- Kanokhar, Police Station- Manigachhi, District- Darbhanga
4. Ranjeet Yadav S/o Khakhan Yadav Resident of Village- Kanokhar, Police Station- Manigachhi, District- Darbhanga
5. Makhan Yadav @ Makhkhan Yadav S/o Late Bale Yadav Resident of Village- Kanokhar, Police Station- Manigachhi, District- Darbhanga
6. Suraj Yadav S/o Lochan Yadav Resident of Village- Kanokhar, Police Station- Manigachhi, District- Darbhanga
7. Rahul Yadav @ Rahul Kumar S/o Devan Yadav Resident of Village- Kanokhar, Police Station- Manigachhi, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary, Advocate.
For the Opposite Party/s : Mr.Manoj Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 09-07-2025 Heard Mr. Nilendu Kumar Choudhary, learned counsel appearing on behalf of the petitioners and Mr. Manoj Kumar, learned APP for the State.

2. At the outset, learned counsel appearing on behalf of the petitioners seeks to withdraw the prayer for bail in respect of petitioner no.3 Devan Yadav submitting that he has been arrested.



3. Accordingly, the prayer for bail on behalf of petitioner no.3 Devan Yadav is dismissed as withdrawn.

4. The petitioner nos. 1, 2 and 4 to 7 seek pre-arrest bail in connection with Manigacchi P.S. Case No. 36 of 2025 registered for the offence punishable under Sections 126(2), 115(2), 109(1), 74, 303(2), 352, 351(2) and 3(5) of the BNS.

5. As per the allegation made in the F.I.R., petitioners along with other co-accused with a common intention to kill the informant and his family members assaulted them brutally and also outraged the modesty of the sister of the informant.

6. Learned counsel appearing on behalf of the petitioners submitted that the petitioners have clean antecedent. There is case and counter case. Due to enmity, both the parties indulged into fierce fight in which petitioners might have caused some injury to the informant's side which was in self defence without any intention. Specific allegation of assault is against one Amarjeet Yadav.

7. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

8. Considering the nature of allegation made in the F.I.R., as well as, I find that both the sides sustained injury and specific allegation of assault is against one Amarjeet Yadav,



general and omnibus allegation has been alleged against the petitioners, however, the same has been opposed by Mr. Shankar Prasad, who has tendered his appearance on behalf of the informant just now, the petitioner nos. 1, 2 and 4 to 7 are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM-VI, Darbhanga in connection with Manigacchi P.S. Case No. 36 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS.

9. The District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

10. The bail application stands disposed of.

(Purnendu Singh, J)

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