

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43141 of 2025

Arising Out of PS. Case No.-39 Year-2025 Thana- MANJHI District- Saran

1. Sanjay Yadav son of Tiha Yadav village- Jai Chapra Ps- Manjhi, Dist- Saran at Chapra
2. Uttim Yadav @ Uttam Yadav son of Ramayan Yadav village- Jai Chapra Ps- Manjhi, Dist- Saran at Chapra
3. Krishna Yadav son of Ramayan Yadav village- Jai Chapra Ps- Manjhi, Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Chandra Mohan Jha, Advocate
For the State	:	Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-07-2025 Heard Mr. Chandra Mohan Jha, learned counsel for the petitioners and Mr. Rajendra Nath Jha, learned A.P.P. for the State.

2. After some arguments, learned counsel for the petitioners seeks permission to withdraw the application with liberty to the petitioner no. 1 namely, Sanjay Yadav to surrender before the learned Court below within a period of four weeks from today and seeks regular bail.

3. Permission is accorded.

4. The present application stands dismissed as withdrawn with respect to petitioner no. 1, namely, Sanjay



Yadav with the liberty to the petitioner no. 1 to surrender and seek regular bail before the learned Court below, the same shall be considered on the same day on its own merit in accordance with law and without being prejudiced by any observation in the present order.

5. The petitioners (except petitioner no. 1) are apprehending their arrest in connection with Manjhi P.S. Case No. 39 of 2025, F.I.R. dated 02.02.2025 for the offences punishable under Sections 115(2), 126(2), 109, 352, 351(2), 351(3), 3(5) of the B.N.S.

6. According to prosecution case, the petitioners along with other accused persons are said to have abused and assaulted the informant and his family members due to which they became injured. It is further alleged that they also threatened the informant and his family members.

7. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. Both the parties are agnates to each other and there is case and counter case between the parties. He further submits that although the petitioners are named in the FIR, but there is no specific allegation of any assault or overt act against these petitioners rather there is



general and omnibus allegation against the petitioners.

8. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

9. Considering the aforesaid facts and circumstances, the petitioners have clean antecedent and there is no specific allegation against the petitioners rather there is general and omnibus allegation against the petitioners, let the petitioner nos. 2 and 3, namely, Uttim Yadav @ Uttam Yadav and Krishna Yadav, in the event of their 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 A.C.J.M.-11th, Saran at Chapra in connection with Manjhi P.S. Case No. 39 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ 482(2) of the BNSS, 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 tampers 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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