

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49496 of 2025

Arising Out of PS. Case No.-205 Year-2025 Thana- BARH District- Patna

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1. Mantu Saw S/o Krishan Nandan Saw @ Krishna Saw R/o vill - Harauli, P.S. - Barh, Distt.- Patna
 2. Adalat Yadav S/o Jogi Yadav R/o vill - Harauli, P.S. - Barh, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap, Adv.

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 12-08-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State Mr. Chandra Bhushan Prasad along with learned counsel appearing on behalf of the informant.
2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 109(1), 303(2), 352 and 3(5) of the B.N.S. & Section 27 of the Arms Act.
3. Learned counsel for the petitioners submits that petitioners have antecedent of two cases but then one of the case was instituted after institution of the instant FIR, as such at Para-3 it has been pleaded that petitioners have antecedent of one case. It is next submitted that informant alleges that on the eve of Holi, he heard sound of firing near his house,



accordingly, he went to the place of occurrence and saw the accused persons including the petitioners in a drunken condition, further Manoj and Sanoj fired but missed, thereafter Manoj assaulted the informant by butt of pistol causing injury on forehead, while Sanoj assaulted Bhushan by butt of pistol and Manoj snatched his chain.

4. Learned counsel for the petitioners submits that from perusal of the allegation as alleged in the FIR, it would manifest that the case has not been instituted under the Excise Act. It is also submitted that no specific allegation is alleged against the petitioners.

5. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioners but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioners that allegation against the petitioners is general and omnibus in nature.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/-



(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned trial court where the case is pending/successor court in connection with Barh P.S. Case No.205/2025, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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