

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48228 of 2025

Arising Out of PS. Case No.-419 Year-2022 Thana- PHULPARAS District- Madhubani

1. Manish Kumar @ Manish Kumar Yadav Son of Rampukar Yadav Village- Siswabarhi, PS- Phulparas, District- Madhubani
2. Lalan yadav son of Shailendra Yadav Village- Siswabarhi, PS- Phulparas, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Adv.

For the Opposite Party/s : Mrs. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 16-07-2025 Heard learned counsel for the petitioners and Mrs. Renu Kumari, learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Phulparas P.S. Case No. 419 of 2022 instituted for the offences under Sections 341, 323, 324, 307, 504, 506, 34 of the Indian Penal Code and 27 of the Arms Act.

3. Prosecution case, in short, is that, the accused persons including the petitioners armed with lathi, sword and axe surrounded the informant and assaulted the Informant and others. It is alleged that the petitioners have helped the other co-accused in firing and assault of informant and others. It is further alleged that the co-accused Abhimanyu Yadav assaulted



the informant on his head by means of sword. It is further alleged that co-accused Jay Krishan Yadav snatched the golden chain and cash amounting to Rs. 2500/- from the pocket of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the present case with false and frivolous allegations. There is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature. He further submits that nothing incriminating has been recovered from the possession of the petitioners. The specific allegation of assault is upon the co-accused Abhimanyu Kumar who has assaulted the Informant upon his head by means of sword. Learned counsel for the petitioners further submits that the co-accused Abhimanyu Yadav has already been granted regular bail by this Court vide order dated 17.02.2025 passed in Cr. Misc. No. 79972 of 2024. The petitioners no.1 has one criminal antecedent whereas petitioner no.2 has no criminal antecedent as has been stated in paragraph no.3 of the present anticipatory bail application.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to



the petitioners, stating that the offence alleged against the petitioners is serious in nature.

6. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioners, let 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 the learned court below where the case is pending/successor court in connection with Phulparas P.S. Case No. 419 of 2022, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

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