

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83870 of 2024

Arising Out of PS. Case No.-320 Year-2024 Thana- NOORSARAI District- Nalanda

Manikchandra Prasad @ Manikchand Prasad Son of Late Naval Yadav
Resident of Vill- Prahladnagar, P.S.- Noor Sarai, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brajesh Prasad Gupta, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-01-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest a case registered for the offences punishable under Sections 127 (1), 115 (2), 132, 109, 352, 303 (2) & 3 (5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution story, when the informant was on patrolling duty and reached near the Prahladpur, he stopped a truck loaded with sand and demanded for challan then the driver of the truck did not provide the document. The driver of the truck disclosed the name of owner of the truck as Manikchand Prasad, who is the petitioner in the present case and the petitioner started to abuse. The truck was brought to the police station but the petitioner along with 8 to 9 persons took away the truck



forcibly. The allegation against the petitioner is that he managed to escape from the place of occurrence.

4. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. It is further submitted that the truck does not belong to the petitioner and the petitioner has three criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State vehemently opposing the bail petition submitted that the allegation against the petitioner is serious in nature. He has not only disturbed the police force in discharging their official duty rather abused and misbehaved with them and one similarly situated co-accused has been enlarged on bail by a co-ordinate bench of this court vide order dated 19.11.2024. passed in Cr. Misc. No. 76499 of 2024. Hence, the petitioner does not deserve anticipatory bail.

6. Considering the facts and circumstances of case and the nature of the allegation, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.



However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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