

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89309 of 2024

Arising Out of PS. Case No.-115 Year-2024 Thana- MUSRIGHRARI District- Samastipur

- 1 . Manjay Kumar Yadav @ Manjay Rai S/O Arvind Bhagat Resident of Village- Adharpur, PS- Karpurigram, District- Samastipur
2. Mukesh Prasad Yadav @ Mukesh Kumar S/O Shivaji Bhagat Resident of Village- Adharpur, PS- Karpurigram, District- Samastipur
- 3 . Pappu Kumar @ Pappu S/O Naresh Ray Resident of Village-Motipur PS- Tajpur District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar , Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-01-2025 Heard learned counsel for the petitioners and the State .

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 126(2), 115 (2), 118 (1) , 76, 109, 352, 351 (2), 3 (5) of Bhartiya Nyay Sanhita and Section 27 of Arms Act.

3 . As per the prosecution case , this petitioner along with other co-accused persons came on 8 to 9 motorcycles and abused the informant and family members and tore her apparel and one of the accused persons opened fire but did not hit



anyone .

4. Learned counsel for the petitioners submitted that these petitioners is innocent and has falsely been implicated in this case . Allegation is general and omnibus. No specific overt act has been alleged against these petitioners. It is further alleged that during pendency of the case a good sense prevailed in between the parties and in this regard they have filed compromise petition . Petitioner No. 3 has got two criminal antecedents of Excise case in which he is on bail.

5 . Learned counsel for the State opposed the bail petition and submitted that petitioner No. 1 and petitioner No. 2 have got three criminal antecedents and most of them are of similar nature .

6. Considering the fact that petitioner No. 1 and petitioner No. 2 have got three criminal antecedents, their prayer for pre – arrest bail is rejected.

7. Considering the nature of accusation , and also the fact that petitioner No. 3 has got two criminal antecedents of excise act in which he is on bail and other circumstances of the case , in the event of arrest or surrender within eight weeks from today , let the petitioner No. 3 , (Pappu Kumar) as named above, be enlarged on bail on furnishing bail bond of



Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM Samastipur in connection with Musarigharari P.S. Case No. 115 of 2024 , subject to the conditions laid down under section 482(2) of the Bharatiya Nagarik Suraksha Sanhita , 2023 .

(Prabhat Kumar Singh, J)

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