

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5573 of 2026

Arising Out of PS. Case No.-252 Year-2021 Thana- AWTARNAGAR District- Saran

Manjesh Kumar Singh S/o Late Baban Singh Resident of Village- Goraipur,
P.S.- Awatar Nagar, Dist.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Tejpratap Singh, Advocate
For the State : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-02-2026 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 188, 186, 324, 307, 332, 353, 379 and 120(B) of the Indian Penal Code.

3. As per prosecution case, on 06.09.2021 at about 6 PM, while the informant, along with other officials, was busy to bring 19 trucks seized with overloaded sand to Police Station near Haraji More, one empty truck bearing Reg. No. UP52T-6810 came in high speed and dashed a motorcyclist, namely Raj Mohan, due to which he died on the spot. Thereafter, the local people, at the instance of local sand-Mafia, attacked the raiding party with sticks, bricks and stones causing injuries to S. I.



Amitesh Kumar of Garkha P.S. and Chaukidar Jawed and also looted mobile sets of the said S. I. The local Chaukidar identified all the 32 sand Mafias beside the Driver and 'Khalasi' of seized trucks among the mob of 500 local people.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. Allegation of assault is general and omnibus and no specific accusation of overt act has been alleged against this petitioner. Petitioner is neither owner nor driver of any of the seized trucks. Moreover, injuries, allegedly caused by the accused persons, are simple in nature. It is further submitted that similarly situated co-accused persons have already been granted the privilege of anticipatory bail by Co-ordinate Benches of this Hon'ble Court vide order dated 23.05.2023 passed in *Cr. Misc. No. 14959 of 2023*, order dated 05.12.2022 passed in *Cr. Misc. No. 32633 of 2022* and order dated 06.12.2022 passed in *Cr. Misc. No. 37542 of 2022*.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation and claim based



on parity, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner 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 learned Judicial Magistrate 1st Class, Saran at Chapra in connection with Awtar Nagar P.S. Case No. 252 of 2021, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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