

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23154 of 2015

Arising Out of PS.Case No. -38 Year- 2013 Thana -BHAGALPUR GRP CASE District-
BHAGALPUR

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1. Banti Gorhi @ Banti Mandal S/o Bishwanath Gorhi @ Bishwanath
Mandal Resident of Village Adarsh Nagar, Jichho Pokhar, P.S. Sultanganj,
District Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N. K. Agrawal, Sr. Advocate
Mr. Ranjan Kumar Jha, Advocate
Mr. Davendra Kumar Pandey

For the Opposite Party/s : Mr. Md.A.Haque Sahara(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

6 30-10-2015 Heard learned Sr. Counsel for the petitioner and

learned APP for the State.

Supplementary affidavit has been filed on behalf of

the petitioner which has been taken on record.

The petitioner seeks bail in connection with

Bhagalpur Railway P.S. Case No. 38 of 2013 registered for the
offence punishable under Sections 302/34, 120B of the Indian
Penal Code and Section 27 of Arms Act.

Near the gate of Arun Chemical Industries Pvt.

Limited, Sultanganj Manjis Yadav was shot dead and it was
suspected that Ram Balak Singh and Anajali Kumari have

managed to kill Manjis Yadav the brother-in-law of the informant. But during investigation the name of the petitioner and others transpired.

Submission is of false implication and that witness Bipin Paswan who has named the petitioner is absconder in Sultanganj P.S. Case No. 205 of 2012 and in retaliation he and his associates named the petitioner as an assailant after two days of the occurrence and as such the petitioner deserves sympathetic consideration to which learned APP opposes by submitting that not only Bipin Paswan but other witnesses namely, Ajay Das, Bambam Kumar and Lallan Kumar have also stated the name of the petitioner as an assailant.

Having considered the submissions and perusal of case diary it is apparent that the witnesses have stated that the petitioner and other co-accused surrounded Manjis Yadav and thereafter the petitioner shot him dead and as such, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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