

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52671 of 2015

Arising Out of PS.Case No. -79 Year- 2015 Thana -PARSABAZAR District- PATNA

Manoj Kumar Son of Chandeshwar Singh Resident of Village - Punpun
Bandpar, Shiv Nagar, P.S. - Parsa Bazar, District - Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate
Mr. Lakshmi Rant Sharma, Advocate
For the State : Mr. Brajendra Nath Pandey, APP
For the Informant : Mr. Aditya Narayan Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 01-02-2016 Heard Mr. Ramakant Sharma, learned Senior Counsel
for the petitioner, Mr. Brajendra Nath Pandey, learned
Additional Public Prosecutor for the State and Mr. Aditya
Narain Singh, learned counsel for the informant.

The petitioner seeks bail in connection with Sessions
Trial No. 735 of 2015/ 86 of 2015 arising out of Parsa Bazar P.
S. Case No. 79 of 2015 registered under Sections 302/34 of the
Indian Penal Code and Section 27 of the Arms Act.

It has been contended by learned Senior Counsel for
the petitioner that due to enmity existing from before, the
petitioner has been falsely implicated in the present case. The
conduct of the informant in not instituting the FIR at the first

instance and recording her fardbeyan after the death of her husband is itself suspicious.

On the other hand, learned counsel for the State has submitted that the petitioner is alleged to be the person driving the scooty and the pillion rider Nitish Kumar is alleged to have shot the husband of the informant dead.

Supporting the contention of learned counsel for the State, learned counsel for the informant has contended that the petitioner is a habitual offender and even in past, he had killed the compounder of the informant for which an FIR was instituted against him and in the said case the deceased had deposed against the petitioner in the trial.

Regard being had to the gravity of the offence and the participation of the petitioner in the alleged occurrence, I am not inclined to grant him bail. Accordingly, the application for bail is rejected.

The learned Additional District & Sessions Judge, V, Patna is directed to frame charge and proceed with the trial expeditiously.

(Ashwani Kumar Singh, J.)

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