

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13251 of 2016

Arising Out of PS.Case No. -69 Year- 2015 Thana -KARPI District- JEHANABAD

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1. Dharmendra Manjhi, S/o Dasrath Manjhi, R/o Villge- Nanauk, P.S.-
Buniyadganj, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma

For the Opposite Party/s : Mr. Arvind Kr.Pandey(App)

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

ORAL ORDER

3 17-05-2016 Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offence
punishable under section 302 of the I.P.C

Allegedly, Kapildeo Singh, the father of the
informant, was killed in the Mango orchard by cutting his neck
with the spade and on the query it was learnt that the petitioner has
killed the father of the informant.

Submission is of false implication and that there is no eye
witness of the occurrence, the three witnesses are not the eye
witnesses, Upendra Manjhi has simply stated that he saw the
petitioner fleeing away with the spade and after adopting third
degree method confessional statement of the petitioner has got

recorded which has got no evidentiary value in the eye of law.

The learned A.P.P. opposes prayer for bail by submitting that the petitioner was seen fleeing away from the place of occurrence with the spade, he has confessed his guilt and on the basis of his confessional statement the spade used in the crime has also been recovered.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, serious in nature, I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with S. Tr. No. 42 of 2016/08 of 2016 arising out of Karpi P.S. Case No. 69 of 2015 pending in the court of the Additional Sessions Judge-V, Jehanabad.

(Jitendra Mohan Sharma, J)

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