

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21779 of 2016

Arising Out of PS.Case No. -250 Year- 2015 Thana -PIPRA District- EAST CHAMPARAN
(MOTIHARI)

Meghu Rai @ Meghu Manjhi, Son of Yogi Manjhi @ Yogi Rai, Resident
of Village - Jamuniya, Police Station Pipra, District - East Champaran
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Madhurendra Kumar, Advocate.
For the Opposite Party/s : Mrs. Renu Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 25-07-2016 Heard both sides.

The petitioner apprehends his arrest in Pipra P.S.
Case No. 250 of 2015 registered under Section 307 and other
sections of the Indian Penal Code. Later on, Section 302 of the
Indian Penal Code was also added.

The informant alleged that his brother Punit Manjhi
went along with the petitioner to Haryana for work but the accused
persons tortured his brother and gave electric shock to him. Many
persons took the brother of the informant to the clinic of Dr.
Gurucharan Singh. The informant brought his brother to his
village for further treatment. Learned counsel for the petitioner
submits that almost all the witnesses in the entire case diary have
stated that the deceased had taken wine and fell down from the
roof and sustained injuries. The deceased was treated in the



hospital at Panipat, Haryana. It is further submitted that the complaint petition was filed on 09.09.2015; the deceased died on 08.10.2015 and the witnesses who were working as labourers at Panipat have stated that the deceased had taken wine, fell down from the roof and died but the petitioner has falsely been implicated in the case. Except the deceased and his brother, nobody supported the case of the prosecution. The post mortem report shows that the deceased died due to Septicemia. It has further been submitted that co-accused, namely, Poondeo Rai @ Punde Rai and Dinesh Rai have already been granted anticipatory bail vide order passed in Cr. Misc. No. 8414 of 2016.

From perusal of the records, it appears that the informant has made a very specific allegation against the petitioner that the petitioner and Upendra Rai electrocuted his brother and took him to the hospital from where the informant took his brother to his village for further treatment. The deceased Punit Manjhi made his statement in Para 6 of the case diary wherein he very categorically stated that the petitioner Meghu Rai @ Meghu Manjhi and Upendra Rai came and forced him to work with them but on refusal, the petitioner Meghu Rai @ Meghu Manjhi and Uprendra Rai electrocuted him and thereafter he became unconscious. Many people got him admitted in the

hospital. It also appears that other witnesses have, of course, stated that the deceased fell down from the roof but the deceased himself very specifically stated that it was the petitioner and Upendra Rai, who electrocuted him, and consequently, on account of burn injuries, the deceased died as Septicemia had also developed. The case of the petitioner is quite different from the case of other accused persons, namely, Poondeo Rai @ Pundeoo Rai and Dinesh Rai inasmuch as the deceased did not make any allegation against them. Anticipatory Bail Petition of Upendra Rai has already been rejected vide order passed in Cr. Misc. No. 14946/2016.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail in Pipra P.S. Case No. 250 of 2015. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

Dilip/-

U		T	
---	--	---	--