

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70576 of 2019

Arising Out of PS. Case No.-332 Year-2018 Thana- RUPASPUR District- Patna

Manjay Rai @ Manjay Gope @ Manjay S/o Manori Rai @ Manohar Ray R/o
village- Saguna Gandhi Murti Khara Kuan, P.S.- Danapur, District- Patna
... .. Petitioner/s
Versus

The State of Bihar
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Kant Kumar
For the Opposite Party/s : Mr. Uday Pratap Singh

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Rupaspur
P.S. Case No. 332 of 2018 registered for the offence punishable
under Section 302/34 of the Indian Penal Code and Section 27
of the Arms Act.

Eight named accused persons including the
petitioner are said to have assaulted grandson of the informant
and resorted firing earlier. Later on, the aforesaid accused
persons and three named accused persons gunned down the son
of the informant.

It is submitted by learned counsel for the petitioner
that the petitioner has no concern with the aforesaid occurrence.
He has been falsely implicated in this case due to dirty village
politics. There is no eye witness of the occurrence barring the
witnesses, namely, Abhishek Kumar. Moreover, the said witness



has not named the petitioner as the assailant rather to Ravindra, Nandu and Pancham. Petitioner and others are said to have only surrounded the deceased at the relevant time. Aforesaid allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has no criminal antecedent and has been languishing in custody since 16.07.2019. Similarly situated co-accused, namely, Dilip @ Pandey @ Dilip Pandey, Sumit Kumar @ Sumit @ Raju and others have been enlarged on bail by different co-ordinate Benches of this Court vide orders dated 03.04.2019 and 04.06.2019 passed in Cr. Misc. Nos. 20620 of 2019 and 19938 of 2019.

On the other hand, learned APP opposed the bail prayer of the petitioner.

In the facts and circumstances of the case, let the above named petitioner be released 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 A.C.J.M. II, Danapur, Patna in connection with Rupaspur P.S. Case No. 332 of 2018.

(Prakash Chandra Jaiswal, J)

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