

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15215 of 2021

Arising Out of PS. Case No.-243 Year-2020 Thana- BARAULI District- Gopalganj

INDRAJIT MANJHI Son of Dharam Dev Manjhi Resident of Village -
Mahamadpur Jaddi, P.S. - Mahamadpur, Distt.- Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushil Kumar

For the Opposite Party/s : Mr.Ram Chandra Sahani

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-07-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Barauli P.S. Case No.243 of 2020 registered for the offence punishable under Sections 341/ 324/ 307 and 34 of the Indian Penal Code.

The prosecution case in short is that the petitioner along with co-accused Mina Devi came to the house of informant and started abusing to his father due to some minor dispute. It is further alleged that when his father protested it, Mina told the



petitioner to kill him whereupon petitioner and co-accused Ranjan Manjhi inflicted sickle blow in his abdomen which caused cut injury in his abdomen.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. No offence as alleged has ever took place. He has been falsely implicated in this case due to dirty village politics. There is no specific overt act against the petitioner. No incriminating article has been recovered from the conscious physical possession of the petitioner. The petitioner has no criminal antecedent and has been languishing in custody since 24.11.2020.

Learned APP for the State opposed the prayer for bail by submitting that there is specific allegation of assault against the petitioner and co-accused.

On perusal of the records including the case diary, it appears that the witnesses have supported the prosecution case. It is apparent that co-accused Mina Devi told her husband Indrajit Manjhi to kill the father of informant, whereupon petitioner and co-accused inflicted sickle blow in his abdomen which caused cut injury in his abdomen. Thereafter, in the hospital the father of informant died.



Considering the aforesaid facts, I am not inclined to
enlarge the petitioner on bail.

Accordingly, the bail petition is hereby rejected.

(Anjani Kumar Sharan, J)

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