

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16654 of 2021**

Arising Out of PS. Case No.-361 Year-2019 Thana- WAJIRGANJ District- Gaya

SHIW CHARAN MANJHI S/o Late Bhudhay Manjhi R/o village- Bhagalpur
(Singthiya), P.S.- Wazirganj, Distt.- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Prithivi Raj Singh, Adv.
For the Opposite Party/s :	Mr.Manish Kumar No.2
	Mr.Gajendra Kumar Singh
	Mr.Abhay Kumar

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 21-10-2021 Heard the parties.

The petitioner seeks bail in connection with Wazirganj P.S. Case No.361 of 2019, registered for the offence punishable under Sections 147, 148, 149, 323, 324, 326, 307, 504, 506, 302 of the Indian Penal Code.

The prosecution case in short is that the informant's son has been brutally assaulted by the petitioner and other accused persons due to which he succumbed to the injuries.

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. He has been falsely implicated in this case due to dirty village politics. The allegation is upon eighteen accused persons to have assaulted the son of the informant due



to which he succumbed to the injuries. Allegation against the petitioner is that he has assaulted the informant's son by means of an axe. It is opined in the post mortem report that the cause of death was due to head injury caused by hard and blunt substance. No incriminating article has been recovered from the conscious physical possession of the petitioner. Charge sheet has been submitted in this case against the petitioner and others. The petitioner has no criminal antecedent and has been languishing in custody since 09.09.2020.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of this case, since there is specific overt act upon the petitioner, I am not inclined to grant bail to the petitioner named above.

Accordingly, the prayer for bail made through the instant bail application is hereby dismissed.

However, liberty is granted to the petitioner to renew his prayer for bail after framing of the charge.

(Anjani Kumar Sharan, J)

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