

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18607 of 2021

Arising Out of PS. Case No.-618 Year-2020 Thana- BRAHMPUR District- Buxar

MANISH KUMAR SINGH S/o Saroj Singh @ Jaishankar Singh @ Saroj
Kumar Singh R/o Village- Dheka, P.S.- Brahampur (K.B.), District- Buxar.
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.N.K.Agrawal,Sr.Advocate
Mr.Arvind Kumar Pradhan,Advocate
For the Opposite Party/s : Mr.Akhileshwar Dayal,APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 07-10-2021 Heard Mr. N.K. Agrawal, learned Senior Counsel
assisted by Mr. Arvind Kumar Pradhan, learned counsel for the
petitioner and Mr. Akhileshwar Dayal, learned APP for the
State.

The petitioner in the present case is seeking regular
bail in connection with Brahmapur P.S. Case No. 618 of 2020
registered for the offences punishable under Sections 341, 323,
307, 504, 506, 34 of the Indian Penal Code. He is in custody
since 15.12.2020. The petitioner has got no criminal antecedent.

As per the prosecution story, a dispute broke out
between the petitioner and the deceased when the petitioner was
using the boring of the deceased without taking his permission.
It is alleged that this petitioner assaulted the deceased on his
head by lathi and repeated blows were given 4-5 times



whereafter the father of the informant (since deceased) fell down, he suffered from brutal injuries and died in the hospital.

Learned Senior Counsel for the petitioner submits that the dispute seems to have taken place over the use of boring which was being used for irrigation purposes by the petitioner. It is, however, his submission that there is no repetition of blow and the father of the informant died after receiving the first blow as he fell down on a stone.

Mr. Akhileshwar Dayal, learned APP for the State has opposed the prayer for regular bail of the petitioner. It is submitted that the allegation is very specific against the petitioner and there are repetition of blows which would be further corroborated from the post-mortem report showing injuries on the back of the right chest upper part and on the front of left palm and the further fatal injury present on the temporal and parietal bone on the scalp. The doctors have opined that the injuries were anti-mortem and caused by hard and blunt substance and death has resulted due to the head injuries.

Having regard to the seriousness of the allegation in which the petitioner is said to have assaulted the father of the informant on his head and other parts of the body by lathi, the specific allegation is there against him which is getting



corroborated from the post-mortem report showing multiple injuries which are all anti-mortem in nature, this Court is not inclined to release the petitioner on bail.

The prayer for regular bail of the petitioner is, thus, refused.

Let the trial be expedited.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

