

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24313 of 2022

Arising Out of PS. Case No.-25 Year-2021 Thana- PUNPUN District- Patna

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MANOJ KUMAR @ MANOJ SINGH @ GENDU Son of Late Brahmanand Singh Resident of Village - Barah,P.S.- Punpu, District - Patna. At present Magadh Colony, Kurji, P.S. - Digha, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhinay Raj

For the Opposite Party/s : Mr.Dinesh Singh

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 16-08-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner has preferred this application for grant of regular bail in a case registered u/ss 341, 326, 307, 120B read with 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the informant's father along with Himanshu Kumar was going to attend a feast to the house of Sudhir Kumar, in the meantime the petitioner along with other accused who was in ambush started firing indiscrimi-



nately on his father and Himanshu Kumar with intent to kill and caused severe injuries to his father and Himanshu Kumar. The informant's father being injured has stated that the petitioner (Manojwa) opened fire on him.

Learned counsel for the petitioner has submitted that the petitioner is innocent and he has falsely been implicated in this case due to land dispute. Learned counsel for the petitioner has further submitted that the petitioner and co-accused persons opened fire on the informant indiscriminately. Learned counsel for the petitioner has further submitted that the injury report was not available with the case diary by filing photocopy of the petitioner dated 15.04.2021 addressed to C.M.O. by S.H.O concerned. The petitioner is accused in four other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 28.12.2021.

Learned A.P.P. for the State has opposed the bail petition of the petitioner by submitting that there is specific allegation against the petitioner of firing to the injured Anil Kumar. The impugned order suggests that injured Anil Singh sustained injuries on his jaw and mouth caused by firearms. Himanshu Kumar sustained injuries on his chest, waist and thigh caused by fire arms.



The impugned order dated 01.04.2022 further suggests that the injury on the face of Anil Kumar is stated to be grievous in nature and the injury on the chest of Himanshu Kumar is also stated to be grievous in nature.

Considering the aforesaid facts, circumstances, grievous injury as well as the specific allegation against the petitioner, I am not inclined to grant bail to the petitioner. Therefore, the prayer for bail of this petitioner is rejected.

Learned trial Court is directed to expedite the trial and conclude the same preferably within a period of nine months.

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(Chandra Prakash Singh, J)

