

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37299 of 2021

Arising Out of PS. Case No.-219 Year-2020 Thana- FATEHPUR District- Gaya

MANOJ RAJBANSHI Son of Sri Amirak Rajbanshi Resident of Village-
Nagwa, P.S.- Fatehpur, District- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Adv.

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 23-02-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

A supplementary affidavit, carrying out necessary
correction in the main application, has been filed on behalf of the
petitioner, which forms part of this application.

The petitioner seeks bail in connection with Fatepur
P.S. Case No. 219 of 2020 registered for the offence under
Sections 302, 120(B) and 34 of the Indian Penal Code.

The mother of the informant is said to have been
beaten by unknown persons resultantly she sustained injuries
and during course of treatment, she succumbed before the
injuries.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case. In fact, the petitioner has
not been named in the F.I.R. but the name of this petitioner has
transpired in this case on the basis of video which is said to have



been got viral after the alleged occurrence. Though the petitioner is shown in the alleged video but he has not assaulted the deceased and merely on the basis of suspicion, his name has been dragged in this case. The petitioner is rotting in judicial custody since 21.01.2021.

Learned A.P.P. for the State has, vehemently, opposed the prayer for bail of the petitioner and submits that during course of investigation, a video of the occurrence was got viral in which the petitioner along with other miscreants were seen mercilessly assaulting the deceased as a result of which, the mother of the informant sustained severe injuries and died during course of treatment.

Considering the facts and circumstances of the case, this Court is not inclined to grant the privilege of bail to the petitioner. Accordingly, the prayer for bail of the petitioner is rejected.

However, learned trial court is directed to expedite the trial.

(Rajesh Kumar Verma, J)

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