

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32787 of 2022

Arising Out of PS. Case No.-36 Year-2021 Thana- EKCHARI District- Bhagalpur

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MANOJ KUMAR SON OF MUTUL MANDAL R/O VILLAGE-
KHAVASPUR, P.S.,- EKCHARI, DISTRICT- BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Vijaya Laxmi Srivastwa
For the Opposite Party/s : Mr. Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-10-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered for the offence punishable under Section 302 and some other ancillary Sections of the Indian Penal Code.

As per the prosecution case, nine persons including this petitioner assaulted the brothers and nephew of the informant by means of Lathi as result of which Vinodi Mandal, one of the brothers of the informant, died on the spot and his nephew was badly injured, who also subsequently died.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. The occurrence took place on account of land dispute. It is further submitted that on the alleged date of occurrence petitioner was not present there rather he was at Chennai where



he is posted as a Senior T.T. (southern railway) and he was on duty on that date. In support of the submission attendance register has been annexed as Annexure-2 of the petition.

Learned counsel appearing for the State opposes the prayer for anticipatory bail and submits that petitioner is named in the FIR and there is specific and direct allegation against him that he along with other accused persons assaulted the brothers and nephew of the informant by means of Lathi as a result of which one of the brothers of the informant died on the spot and his nephew was badly injured, who also subsequently died.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner on pre arrest bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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