

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50134 of 2021

Arising Out of PS. Case No.-82 Year-2021 Thana- DHANSOI District- Buxar

Manoj Singh Son of Late Sidhnath Singh @ Jaglal Singh Resident of Village -
Lala Chak, P.S.- Dhansoi, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manendra Kumar Sinha, Advocate
For the Informant	:	Mr. Prashant Kumar, Advocate
For the Opposite Party/s	:	Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 02-02-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State
through virtual court proceedings.

The petitioner seeks bail in connection with Dhansoi
P.S. Case No. 82 of 2021 instituted for the offences under
Sections 147, 148, 149, 341, 323, 307, 504 and 506 of the
Indian Penal Code read with Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 07.06.2021, is a person with clean
antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that the
informant alleges that this petitioner fired hitting the thigh of the
uncle of the informant causing injury and one accused Arun



Singh fired injuring Bittu, nephew of the informant and the cause of occurrence is that the petitioner's side were trying to take forceful possession of informant's land and had marked about one *kattha* land by pillar for which the informant along with his uncle and nephew had gone to talk to the family of the petitioner then this occurrence took place.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the case. Learned counsel further submits that the land in dispute belongs to the petitioner and the informant had kept the land under his possession and after measurement when it came to the knowledge of the petitioner's side that the land belongs to them, they had marked the pillar based on which this occurrence took place. Learned counsel submits that Dhansoi P.S. Case No. 85 of 2021 was instituted by the petitioner's side for the same occurrence in which mother of this petitioner had suffered injury on account of assault at the hands of the informant. Learned counsel submits that it was when the mother of this petitioner was hit, the occurrence took place. Learned counsel disputes that the petitioner had fired and submits that even presuming what is alleged in the F.I.R. is true, but without admitting, then the occurrence took place on account of the fact that the mother



of this petitioner was assaulted and the occurrence took place in the heat of the moment and that injury is not on the vital part of the body.

Learned counsel for the petitioner, at this stage, seeks permission to withdraw the present bail application.

Permission is accorded with liberty to the petitioner to renew his prayer after framing of charge.

Accordingly the present bail application is dismissed as withdrawn.

Shri Rabindra Kumar, learned A.P.P. for the State is present.

(Satyavrat Verma, J)

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