

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63647 of 2021

Arising Out of PS. Case No.-444 Year-2020 Thana- DANAPUR District- Patna

MANOJ KUMAR Son of Atma Prasad Resident of Village- Shahganj, P.S.- Koch, District- Gaya at Present resident of Nasriganj, North Gali of Prem Vatika, P.S.- Danapur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudra Deo

For the Opposite Party/s : Mr. Kanhaiya Kishore, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-03-2022 Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in a case registered for the offences under Sections 302, 120B and 201 of the Indian Penal Code.

The learned counsel for the petitioner submits the petitioner is in custody since 14.08.2020, charge-sheet has been submitted and is a person with clean antecedent. It is further submitted that from bare perusal of the allegation as alleged in the FIR, it was manifest that informant alleges that on 10.08.2020, his brother, Sudama Kumar, had gone on his private vehicle to return the dues amount, thereafter it is alleged that he made a call to his mother that he is in Danapur and his life is in



danger and asked her for help, thereafter the informant along with his family went to Danapur and informed the higher official of the police regarding the threat on life and they also made searched but could not found him and in the next morning, the informant got information that dead body of his brother was lying near Patliputra bridge.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, it is submitted that in the FIR, it is alleged that the deceased had called his mother and said that his life was in danger but the FIR does not disclose that about whom the deceased disclosed to his mother, it is further submitted that the deceased never talk to his mother or else he would have disclosed that why he is feeling unsafe and with whom he had fear of life, it is further submitted that during the course of investigation also, no investigation was made with respect to this part of the allegation that whether the deceased had called his mother or not.

The learned APP vehemently opposes the bail application and submits that from bare perusal of the order impugned, it would manifest that the petitioner came to be arrested as the mobile of the deceased recovered from him and he also confessed his participation in the crime. The learned APP further



submits that since mobile was recovered from the petitioner, as such, for the present for the purposes of bail petitioner does not deserve to be enlarged on bail.

Considering the submission made by learned APP, the Court, for the present, is not inclined to grant bail to the petitioner, therefore, the prayer for bail of this petitioner is rejected.

(Satyavrat Verma, J)

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