

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10284 of 2023

Arising Out of PS. Case No.-169 Year-2010 Thana- PATEPUR District- Vaishali

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MITHUN MANJHI S/O KAPALDEO MANJHI @ KAPILDEO MANJHI
Resident of Village- Garrah, Uttarbari Tola, P.S.- Patepur, District- Vaishali at
Hajipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anish Chandra

For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 03-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection
with Patepur P.S. Case No. 169 of 2010 instituted for the
offence under Sections 302/34 of the Indian Penal Code.

3. As per allegation in the FIR, when the informant
with his mother sat outside of his house, meanwhile, the
petitioner along with co-accused came there and demanded
some money. On denial, the petitioner assaulted upon the head
of the mother of the informant by means of bamboo as a result
of which she died on the way to hospital. Accordingly, the
present case was lodged.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and committed no offence. He has falsely been implicated in this case due to village politics. It is also submitted that there is no repetition of blow. Moreover, the petitioner is languishing in judicial custody since 23.6.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner is named in the FIR who has specifically been alleged to assault upon the head of mother by means of bamboo due to which she sustained injuries and thereafter she died. Postmortem report of the deceased corroborates the prosecution case. During course of investigation, witnesses of the case have also supported the case.

6. In pursuance to the direction of this court, a report dt. 5.9.2023 regarding present stage of trial has been received by which it appears that the trial is likely to be concluded within a period of six months.

6. Having heard the learned counsel for the parties and considering the specific allegation of assaulting against the petitioner, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. The trial Court is directed to expedite the trial and conclude the same within stipulated period of time (i.e. six



months) failing which the petitioner may renew his prayer of
bail.

(Sunil Kumar Panwar, J)

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