

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71667 of 2022

Arising Out of PS. Case No.-416 Year-2020 Thana- DIGHA District- Patna

Manager Rai @ Manager Prasad S/op Sri Madan Rai R/o Village- Yadubanshi
Nagar, Ashiyana Road, Digha ghat, P.S.- Digha, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 18-03-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Digha
P.S. Case No. 416 of 2020 registered for the offence under
Sections 447, 341, 342, 323, 324, 325, 326, 307, 385, 387, 504,
506 and 34 of the Indian Penal Code (for short 'I.P.C.').

The accused/petitioner is named in the F.I.R. and is in
custody since 06.07.2022.

The allegation against the petitioner is to assault
informant and others alongwith 15-20 unknown anti-social
elements/co-accused persons by means of hockey sticks, rod,
sharp-cut weapons and country made pistols, causing head and



several bodily injuries, having intention to cause their death.

Learned counsel appearing on behalf of the petitioner submitted that despite of the allegation, as petitioner was equipped with firearms, no allegation as regard to firing appears to be made from the face of the F.I.R., suggesting that the petitioner and others were not under intention to cause death of the informant and others. It is submitted that maximum of injuries, as received by informant and his son, is appearing superficial in nature and the injuries, which were appears grievous, found upon non-vital parts, which not appears to cause death in ordinary course of nature. It is submitted as wife of petitioner lodged a Complaint Case having No. 2965C of 2020 against the informant and others, present false implication was made. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP for the State opposes the prayer of bail.

Considering the facts and circumstances as mentioned above and by taking note of the nature of allegation and injuries, where petitioner is in custody since 06.07.2022 coupled with the



fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Digha P.S. Case No. 416 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Patna/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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