

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69369 of 2022

Arising Out of PS. Case No.-62 Year-2022 Thana- ALIPUR District- Gaya

Manoj Singh Son Of Late Chandrika Singh R/O Vill.- Bhelampur, P.S.-
Alipur, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No2

For the Opposite Party/s : Mr. Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 22-02-2023 Heard Ld. counsel for the petitioner and Ld. APP
for the State.

The petitioner seeks bail in connection with Alipur
P.S. Case No. 62 of 2022, registered for the offences
punishable under Sections 341, 323, and 302 of the Indian
Penal Code.

As per allegation, the sole accused-petitioner has
beaten the victim to death.

Ld. counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He further submits that the petitioner was not armed
and there was no intention to kill the alleged victim. He also



submits that investigation in this case is complete and charge-sheet has already been submitted.

He further submits that the petitioner has been languishing in jail since 15.07.2022.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has earlier been made accused in one other case.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail submitting that the victim has been beaten to death by the sole accused-petitioner and this actus rea of the petitioner shows mens rea to kill the person who becomes the victim of the offence. Even as per the post-mortem report, all injuries were ante-mortem caused by hard and blunt force and cause of death was due to injury on scalp and head.

Considering the aforesaid facts and circumstances, I am not persuaded to enlarge the petitioner on bail.



This application stands rejected accordingly.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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