

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1122 of 2023

Arising Out of PS. Case No.-64 Year-2022 Thana- PIPRIYA District- Lakhisarai

Manoj Kumar Rajak @ Manoj Rajak, Son Of Hardev Rajak Resident Of
Village- Walipur (Dhobi Tola), P.S.- Pipariya, District- Lakhisarai

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parmanand Pd. Nr. Sahi

For the Opposite Party/s : Mr. Madan Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-03-2023 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 147, 148, 149, 323, 307,
302/ 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 01.10.2022, he is a person with
clean antecedent and the informant alleges that on 27.09.2022,
he was at his home along with his family members and son
when petitioner and Hardev Rajak started abusing the family
members from the terrace, on which his son came out and
protested. Thereafter, Hardev Rajak, petitioner, Sanoj Rajak,
Pradeep Rajak and Anuj Rajak came variously armed and
started assaulting his son and when his wife ran to save him,



then Chulla Devi, Khushboo Devi and Poonam Devi assaulted her on her head injuring her by brick and stone. It is next alleged that informant and his son were badly injured and his wife also lost consciousness and they were rushed to Sadar Hospital where the wife was declared dead.

The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is next submitted that from bare perusal of the allegation as alleged in the F.I.R., it would manifest that it was Chulla Devi, Khushboo Devi and Poonam Devi, who assaulted his wife. It is further submitted that from perusal of the post mortem report of the deceased, it would manifest that it records *rigor mortis* absent and no external injury was found. It is also submitted that even allegation of assault is not specific. It is further submitted that the deceased slipped from the ladder and sustained injury leading to her death.

Learned A.P.P. opposes the bail application.

Considering the submission and the fact that petitioner is a person with clean antecedent and no specific overt act has been alleged against him, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of learned
Court below where the case is pending in connection with
Pipariya P. S. Case No.64 of 2022.

The application stands allowed.

(Satyavrat Verma, J)

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