

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22745 of 2024

Arising Out of PS. Case No.-245 Year-2023 Thana- CHARPOKHARI District- Bhojpur

Manish Kumar S/o Lal Mohar Singh R/o vill - Balihari, P.S. - Charpokhari,
Distt. - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Singh, Advocate
For the Opposite Party/s : Mr. Harendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 17-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Charpokhari P.S. Case No. 245 of 2023 registered for the
offences punishable under Sections 341, 323, 307 & 34 of the
Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, petitioner has open fired
in the wedding procession on the order of co-accused, Suraj
Tiwary & Sanjay Tiwary.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
Learned counsel for the petitioner submits that though the



allegation is of firing, but from perusal of the injury report, it would appear that injuries are caused by hard and blunt object, which itself falsify the prosecution version. It is next submitted that charge sheet has already been submitted in this case. Co-accused, Suraj Tiwary who is alleged to be order giver has been granted regular bail by this Court *vide* order dated 04-04-2024, passed in Cr. Misc. 24290 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP submits that co-accused has been granted regular bail by this Court. It is next submitted that witnesses has supported the prosecution case, which fact finds mention in paragraph No. 8 of the case diary.

6. Considering the rival submissions made by the learned counsel for the parties, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer for grant of anticipatory bail of the petitioner is **rejected**.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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