

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41848 of 2024

Arising Out of PS. Case No.-1498 Year-2023 Thana- PHULWARISHARIF District- Patna

Manish Kumar S/o Vinod Yadav @ Vinod Kumar Yadav R/o Village-
Mahangupur, Lodipur, P.S.- Janipur, Dist.-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pathak, Adv

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 25-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Sessions Trial No. 361 of 2014 arising out of Phulwari Sharif (Janipur) P.S. Case No. 1498 of 2023 lodged on 20.10.2023 under Section 302/34 of the Indian Penal Code.

3. As per the prosecution, F.I.R. has been lodged against two named accused persons including the present petitioner with an allegation that the petitioner had gave knife blow to the informant's son on the neck due to which he died.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that from the bare perusal of the F.I.R., it becomes crystal clear that the informant is not the eye witness rather on



the information, he reached there. Counsel further submits that the criminal antecedent of the petitioner is clean and he is in custody since 21.10.2023.

5. Learned APP for the State opposes the prayer for bail and submits that the allegation made in the F.I.R. has been fully supported by one of the witnesses who is nonetheless the sister of the petitioner under Section 164 of the Cr.P.C. as well as under Section 161 of the Cr.P.C.

6. In the present facts and circumstances of this case, this Court is not inclined to grant bail to the petitioner. As such, the bail application of the petitioner is hereby rejected.

7. Trial Court is directed to expedite the trial.

(Dr. Anshuman, J)

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