

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46297 of 2024

Arising Out of PS. Case No.-149 Year-2020 Thana- CHAUTHAM District- Khagaria

Manoj Singh S/O- Mahendra Singh Resident of Village- Pasraha, P.S.-
Chautham, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivekanand Singh

For the Opposite Party/s : Mr. Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 06-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Chautham P.S. Case no. 149 of 2020 instituted for the offence under Sections 302, 504/34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per allegation in the FIR, it is alleged that while the father of the informant was going towards Teclaiya chowk, in the meantime, the petitioner along with co-accused eprsons surrounded and fired upon him due to which two bullets hit on his body. The father of the informant was brought to hospital but he died during course of treatment.



4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. He has falsely been implicated in this case due to land dispute. It is further submitted that this fact came into light vide para-53, 63 of the main case diary and para 32, 34 of the supplementary case diary that the petitioner was not present on the place of occurrence at the time of occurrence rather he had gone to Gogri Police Station with his sister Kanchan Devi. The petitioner has got no criminal antecedent.

5. Learned APP appearing for the state has opposed the prayer of anticipatory bail and submitted that the petitioner is named in the FIR who is accused of firing along with other accused persons on the father of the informant due to which he succumbed to injury. The witnesses of the case have supported the prosecution case. The postmortem report also corroborates the prosecution case in which doctor opined the cause of death is due to haemorrhage and shock caused by firearm injury.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on anticipatory bail and, as such, his prayer for bail stands rejected.

7. The petitioner is directed to surrender before court



below and prays for regular bail.

(Sunil Kumar Panwar, J)

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