

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44100 of 2024

Arising Out of PS. Case No.-332 Year-2023 Thana- NOKHA District- Rohtas

Monu Singh @ Abhimanu Singh @ Abhimanu Kumar @ Monu S/o Sri
Rabinda Kumar Singh @ Rabindra Singh R/o Village- Baraon, P.S.-Nokha,
District-Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Mishra, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 18-09-2024

Heard learned counsel appearing on behalf

of the parties.

2. The petitioner seeks bail in connection with
Nokha P.S. Case No.332 of 2023 registered for the offence
under Sections 341, 323, 326, 307, 379, 384, 447 and 34 of the
Indian Penal Code and Section 27 of the Arms Act.

3. Allegation against the petitioner along with
other co-accused persons that in the evening the informant is on
his Kiranashop at his house then his neighbour Dipak Kumar
came and demanded *rangdari* and when the informant refuse to
pay then they forcibly tried to snatch the money kept in cash
box on pretext then the accused persons assaulted him and on
intervention of nearby people, he want from there. It has further



been alleged that after five minutes petitioner along with other co-accused persons came armed with sword, *katta*. It has further been alleged that Monu Singh caused firearm injury upon neck of the informant.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case. It is submitted that there is dispute as regard to money transaction in between the parties. It is submitted that there is no eye-witness to the alleged occurrence and all the witnesses are family members and there is contradiction in the statement of the witnesses. It is further submitted that petitioner is in custody since 28.11.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner and submitted that specific allegation as regard to firing upon the informant is against this petitioner.

6. In view of the submissions, as made above, as specific allegation as regard to causing firearm injury upon the informant has been levelled against this petitioner and as it appears from paragraph no.38 of the case diary that injury caused on neck of the informant, which is of grievous in nature and it appears from medical report that the injury found by the



doctor is one exist wound and entry wound at side of neck and anterolateral aspect of just beside the thyroid soft wound – post aspect of right cartilage side of neck and entry wound size 0.5 cm X 0.5 cm, which is lacerated, present at anterior aspect of neck on right side just beside thyroid cartilage and this petitioner is also involved in other two cases, this Court is not inclined to grant bail to the petitioner, at present.

7. Accordingly, the prayer of bail of the petitioner is rejected herewith.

(Ramesh Chand Malviya, J)

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