

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47549 of 2024

Arising Out of PS. Case No.-755 Year-2023 Thana- SHAHPUR PATORI District- Samastipur

Manoj Sah Son Of Lakhan Sah Resident Of Village - Hetanpur, P.S. - Patori,
District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Tilak Sao, Advocate
For the State	:	Mr. Anil Kumar, APP
For the Informant	:	Mr. Jyoti Ranjan Jha, Advocate Mr. Dhananjai Kumar Singh, Advocate

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

ORAL ORDER

3 18-09-2024 Heard learned counsel for the petitioner and learned APP
for the State, as also learned counsel for the Informant.

2. The petitioner seeks bail in connection with Patori
PS Case No. 755 of 2023 instituted for the offences under
Sections 302/34 of the IPC.

3. Prosecution allegation, in short, is that co-accused
persons including the petitioner - variously armed with *lathi*,
danda & iron rod - reached at the *bathan* of uncle of the
informant and assaulted him. It is specifically alleged that
petitioner has assaulted the uncle of the informant by means of
iron rod on his head and, subsequently, he succumbed to
injuries.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. The petitioner is in custody since 19-12-2023, and has no criminal antecedent. It is submitted that there is no eye witness to the occurrence.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that there is specific allegation against the petitioner of assaulting uncle of the informant by means of iron rod.

6. Considering the nature of accusation against the petitioner and the gravity of the offence, I am not inclined to grant bail to the petitioner. The prayer is *rejected*.

7. However, if trial is not concluded within a period of nine months, then the petitioner will be at liberty to renew his prayer for grant of bail.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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