

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47904 of 2024

Arising Out of PS. Case No.-1227 Year-2023 Thana- SONEPUR District- Saran

Manoranjana Kumar @ Bittu S/o Sri Sanjay Kumar Singh R/o Village
Paharichak ,Police Station-Sonpur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bishwajeet Singh, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-08-2024 Heard learned counsel for the petitioner and the State.

2. Petitioner seeks regular bail in a case registered for the offences punishable under Sections 341, 323, 307, 379, 302/34 of the Indian Penal Code.

3. As per the prosecution case, on the alleged date and time of the occurrence, all the F.I.R. named accused persons including this petitioner assaulted father of informant by means of iron rod as a result of which he died during course of treatment.

4. Learned counsel for the petitioner submits that from perusal of the F.I.R. it is apparent that dispute over pathway led to the alleged occurrence which was not deliberate rather spur of the moment. He next submits that post-mortem report does not support the prosecution case. As per F.I.R., all



the named accused persons assaulted father of informant by iron rod but post-mortem report shows that the deceased has sustained only one injury on head. Petitioner is in custody since 01.01.2024.

5. Learned A.P.P. for the State vehemently opposed the bail application and submitted that as per F.I.R., there is specific allegation against the petitioner that he assaulted the deceased on his head by means of iron rod and post-mortem report also corroborates with the prosecution case as it suggests that the deceased sustained head injury.

6. Considering the facts and circumstances of the case, prayer for regular bail of the petitioner is refused.

(Prabhat Kumar Singh, J)

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