

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53525 of 2024

Arising Out of PS. Case No.-1 Year-2024 Thana- SAJOUR District- Bhagalpur

Manoj Sah @ Manoj Kumar Sah Son of Sri Pulis Sah R/O Vill.- Hario, P.S.-
Bihpur, Dist.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ambrish Jha, Adv.

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

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

ORAL ORDER

3 29-10-2024 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Sajour
P.S. Case No. 01 of 2024 instituted for the offence under
Sections 302, 120(B)/34 of the Indian Penal Code and
Section 27 of the Arms Act.

3. Prosecution case in a nutshell is that co-accused
persons including the petitioner have killed the son of the
Informant by hatching conspiracy.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 05-03-2024. Petitioner
has one criminal antecedent of similar nature of offence in



which he is on bail.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR and his name has transpired in this case on the basis of confessional statement of co-accused, namely, Saurabh Kumar. The petitioner was arrested from his house just after a day of the alleged occurrence and nothing incriminating has been recovered from his conscious possession. Except confessional statement of Saurabh Kumar and that too before the police, nothing adverse has come against the petitioner during entire investigation. The petitioner has never met with the either Anjali Kumari or Saurabh Kumar.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the postmortem report corroborates the prosecution case. From the CDR details, it appears that before the day of occurrence and on the day of occurrence, the mobile location of the petitioner and the other co-accused persons was found near the place of occurrence. He further submits that



as per allegation, the petitioner has shot on the chest of the deceased and caused his death. The petitioner has also one criminal antecedent of similar nature of offence. The offence alleged against the petitioner is serious in nature and, hence, he does not deserve bail.

7. Having heard learned counsel for the parties as also considering the nature and gravity of the offence as alleged against the petitioner, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial.

(Rudra Prakash Mishra, J)

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