

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68119 of 2024

Arising Out of PS. Case No.-328 Year-2020 Thana- VAISHALI District- Vaishali

Manish Kumar @ Chintu Son of Rampravesh Thakur Resident of Village-
Bhagwanpur Ratti, P.S.- Vaishali, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 18-10-2024 Heard the parties.

2. The petitioner seeks bail in connection with
Vaishali P.S. Case No. 328 of 2020 registered for the
offence under Sections 147, 148, 149, 341, 323, 324,
427, 504, 506, 307, 302 of the I.P.C and 27 of Arms
Act.

3. The petitioner is named in the F.I.R. and is
in custody since 19.02.2024.

4. The allegation against the petitioner is to
commit murder of brother of informant by causing fire
arm injury where occurrence has arisen due to pending
land dispute.



5. Learned counsel appearing on behalf of the petitioner submitted that petitioner has been falsely implicated in present case. It is submitted by the learned counsel that during the course of investigation, petitioner was found hospitalized in Khurji Hospital, Muzaffarpur since 27.09.2020 and was discharged only on 02.10.2020. It is pointed out that the present occurrence took place on 30.09.2020 when the petitioner was admitted in hospital. It is also submitted that this fact was gathered during investigation, which is available in Para 43 of the Case Diary. Despite all that, police submitted the charge sheet against the petitioner. It is submitted that the allegations of firing is also against Rambabu Kumar. While concluding the argument, it is submitted that petitioner found involved in one more criminal case, where he is in on bail and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.



6. Learned APP while opposing the prayer of bail submitted that there is specific allegations against this petitioner as to open fire upon the brother of the informant which hit on his chest and proved fatal subsequently.

7. In view of the aforesaid fact and circumstances and also by taking note of nature of specific allegation as to cause fatal fire arm injury upon injured Shardanand Bhagat causing his death by this petitioner, the prayer of bail of this petitioner stands **rejected**.

(Chandra Shekhar Jha, J)

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