

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81152 of 2024

Arising Out of PS. Case No.-296 Year-2024 Thana- DINARA District- Rohtas

Mangaru Sah S/O Kanhaiya Kanu R/O Village- Jamrodh, P.S.- Dinara,
District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate
For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 27-11-2024 Heard Mr. Manoj Kumar Singh, learned counsel for
the petitioner and Anil Kumar Singh No. 1, learned APP for the
State.

2. The petitioner is in custody in connection with
Dinara P.S. Case No. 296 of 2024 for the offence punishable
under sections 127(1), 109, 3(5) and 115(2) of the Bharatiya
Nyaya Sanhita and section 27 of the Arms Act lodged on
03.07.2024 by the informant, Saurabh Kumar Singh.

3. As per the prosecution story, the informant alleged
that on minor issue of dumping of soil, Prashant Kumar Singh
started assaulting his son. The locals pacified the matter and his
son returned but on the same day, both this petitioner and
Prashant Kumar Singh entered his house and once again, the
assault took place, later, they escaped. On 03.07.2024, the



informant was taking meal when Mangaru Sah instigated Prashant Kumar who opened fire which resulted into injury to his friend and as the other family members came, they also suffered injuries. This led to the FIR and the injured were taken to the Hospital.

4. Learned counsel for the petitioner submits that only because the petitioner was earlier serving with the informant and later shifted to Prashant Kumar Singh, the FIR. The role mainly is attributed to the Prashant Kumar Singh and only instigation has come as an allegation on his part.

5. Learned APP on the other hand has pointed out that contrary to the statement made in paragraph-3 that he do not have criminal antecedent, the submission of his own lawyer before the learned Sessions Judge shows that three cases were lodged on the same day i.e. the present case, Dinara P.S. Case No. 296 of 2024 which followed Dinara P.S. Case No. 297 of 2024 and Dinara P.S. Case No. 298 of 2024. He has thus suppressed about his criminal antecedent.

6. Learned counsel for the petitioner submits that contrary to the learned Sessions Judge observation, in Dinara P.S. Case No. 297 of 2024 and Dinara P.S. Case No. 298 of 2024, he is not an accused.



7. Considering the aforesaid submissions as also the allegation coupled with the fact that the petitioner has suppressed the criminal antecedents despite the fact that the learned Sessions Judge order sheet speaks differently, no relief can be granted for the present.

8. The present bail application stands rejected.

(Rajiv Roy, J)

Adnan/-

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