

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5255 of 2025

Arising Out of PS. Case No.-304 Year-2024 Thana- SARAIYA District- Muzaffarpur

Vikash Manjhi S/o Mohan Manjhi R/o Village- Bangra Nizamar, PS-
Sahebganj, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

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

ORAL ORDER

3 29-04-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Saraiya
P.S. Case No. 304 of 2024 instituted for the offences under
Section 394 of the Indian Penal Code and Section 27 of the
Arms Act.

3. As per prosecution case, three unknown persons
tried to snatch the Informant's motorcycle. When the Informant
made resistance for the same, one of the miscreants fired on the
left thigh of the Informant and all of them fled away from there
along with the motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case. The petitioner is not named in the F.I.R. and his name has transpired in this case in course of investigation merely on the basis of suspicion. He further submits that there is delay of 17 days in lodging the F.I.R. that too without there being any plausible explanation for the same which creates doubt in the veracity of the prosecution case. He further submits that nothing incriminating /looted motorcycle has been recovered from the conscious possession of the petitioner rather the motorcycle of the Informant was recovered in connection with Sahebganj P.S. Case No. 341 of 2024 in which the petitioner has also been made accused. No Test Identification Parade has been conducted in this case to identify the culprits. The petitioner has no concern with the alleged occurrence. The petitioner has one criminal antecedent and is languishing in judicial custody since 27.07.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. The Investigating Officer, after completion of investigation, has submitted charge-sheet under Sections 394, 411 of the I.P.C. and



Section 27 of the Arms Act. The injury report supports the prosecution case. The petitioner has one criminal antecedent of almost similar nature offence which shows that the petitioner is a habitual offender.

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

7. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously.

(Rudra Prakash Mishra, J)

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