

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25094 of 2025

Arising Out of PS. Case No.-52 Year-2024 Thana- BHAGWANGANJ District- Patna

Jitendra Manjhi S/o Shivratan Manjhi R/o Village- Rauniyachak Musahari,
P.S.- Bhagwanganj, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Alok Kumar Chaudhary, Sr. Adv
	:	Mr. Rakesh Kumar Tiwary, Adv
For the Opposite Party/s	:	Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 28-07-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with

Bhagwanganj P.S. Case No. 52 of 2024 registered for the

offences under Sections 307/34 & 302 of the IPC and Section

27 of the Arms Act.

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

custody since 22.04.2024.

4. The allegation against the petitioner is to open

fire in birthday party along with other co-accused persons out

of which daughter of informant received bullet injury on her

neck and died subsequently.



5. Mr. Alok Kumar Chaudhary, learned senior counsel appearing on behalf of the petitioner submitted that from the bare perusal of FIR itself, it can be gathered that informant is not the eye-witness of the occurrence and moreover, nature of firing is celebratory on the occasion of birthday party and it was not intentional to kill the deceased daughter of informant to make a prima-facie case under Section 302 of the IPC. It is submitted that allegation as per FIR *qua* firing is available against co-accused Indal Manjhi also and the eye-witness of occurrence failed to state that out of whom firing, the daughter of the informant received gunshot injury. While concluding the argument it is submitted that charge in this case already framed by this Court but not even single witness could be examined till now and therefore conclusion of trial is a remote aspect.

6. Learned APP appearing on behalf of the State, while opposing the prayer for bail submitted that allegation of firing is available against petitioner.

7. In view of aforesaid facts and circumstances as mentioned above and by taking note of fact as FIR itself



suggest that prima-facie firing by petitioner was not with an intention to cause death of daughter of the informant, rather it was celebratory firing, where firing was made by other co-accused person in a birthday party, coupled with the fact as petitioner is in custody since 22.04.2024 and not even single witness examined in this case till now making conclusion of trial a remote aspect, accordingly above named petitioner, is directed to be released on bail in connection with Bhagwanganj P.S. Case No. 52 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Masaurhi, Patna/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S.

(Chandra Shekhar Jha, J.)

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