

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87874 of 2024

Arising Out of PS. Case No.-3 Year-2024 Thana- RAMGARHWA District- East Champaran

MANJAY KUMAR S/o- LATE RAJENDRA RAM Village- Murla Po- Murla
Ps- Ramgarhwa Dist- E.Champaran P/Add- Champapur Ps- Ramgarhwa Dist-
East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra,Adv.

Mr. Dhandev Kumar, Adv.

Mr. Isha Mishra, Adv.

For the Opposite Party/s : Mr.Rajendra Singh Shastri, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 01-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with in connection with Ramgarhwa P.S. Case No. 03 of 2024 dated 09.01.2024 registered for the offences punishable u/ss 302, 120B read with Section 34 of the Indian Penal Code and u/ss 25(1-B)(a), 26, 27 and 35 of the Arms Act.

3. As per the prosecution case, on 08.01.2024, a Chhatiyar ceremony was going on in the neighbouring house of the informant, in the meantime, the co-accused Ranjay Ram and the petitioner, Manjay Ram came to the house of the informant and they took away the informant's son Guudu Kumar



forcefully. A dance programme was also going on at the gate of the co-accused, Shanti Devi and many people were called by the co-accused, Shanti Devi and they were watching dance programme after taking meal. It is further alleged that the co-accused, Ranjay Ram fired on the informant's son who sustained gunshot injury on his back. Thereafter, the informant took his son to the hospital where the doctor declared him dead.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is no specific allegation against the petitioner rather the specific allegation of firing on the informant's son is against the co-accused, Ranjay Ram. The co-accused person has already been granted regular bail by this court vide order dated 24.03.2025 passed in Cr. Misc. No. 8539 of 2025. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner and submitted that the petitioner and co-accused person Ranjay Ram took the informant's son in the dance programme and thereafter, the co-accused Ranjay Ram fired with country made pistol on the informant's son due to which he became injured and he was



taken to the hospital where the doctor declared him dead. As per para nos. 5, 8, 9, 10, 44 and 45 of the case diary, have also supported the prosecution case. Learned counsel has further submitted that the deceased was seen alive with the petitioner and the co-accused, Ranjay Ram hence, it is also case of last seen theory. As per the post-mortem report of the deceased, the cause of death is shock and hemorrhage due to vital organ injuries, caused by firearm.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the petitioner, I am of the view that no case for grant of anticipatory bail is made out. The petition is rejected and the petitioner is directed to surrender to the Court below within six weeks from the date of this order and the Court below may consider the prayer of bail of the petitioner in accordance with law and on its own merits without being prejudiced by this order.

7. The application stands rejected.

(Chandra Prakash Singh, J)

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