

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89469 of 2024

Arising Out of PS. Case No.-94 Year-2024 Thana- Manikpur District- Lakhisarai

Rohit Kumar @ Raj Rishu, aged about 28 years, Gender-Male, S/o-
Brahmdeo Mahto @ Brahamdeo Mahto, R/O Village-Manikpur, P.S.
Manikpur, District-Lakhisarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Vijay Anand, Advocate

For the Opposite Party : Mr. Ram Sumiran Rai, A.P.P.

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

ORAL ORDER

3 23-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Manikpur P.S. Case No. 94 of 2024 dated 27.08.2024 registered
for the offences punishable under Sections 103(1), 351(2) read
with Section 3(5) of the B.N.S., 2023.

3. As per the prosecution case, on 27.08.2024 at about
6.00 P.M., the informant alongwhth his son Anik Mahto had
gone to his *Bathan* situated at *Musahari* to feed his cattle and at
the time of returning, his son asked him to proceed on the
pretext that he would come later but his son did not return and
in the next morning, when the informant started searching for
him it was learnt that a dead body was lying in a field at *Gaura*



Bahiyar and it was identified as the dead body of his son and the informant claims that the occurrence was committed by Pappu Mahto and Rohit Kumar @ Raj Rishu (petitioner) alongwith 4-5 unknown miscreants due to land dispute as they had earlier threatened of dire-consequences.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the informant is not an eye witness to the alleged offence. There is land dispute between the parties. It is further submitted that the petitioner and the deceased are of the same residents. It is further submitted that except tower location of the petitioner, there is no other substantive evidence to suggest the implication of the petitioner in the present case. It is further submitted that the informant has raised only suspicion against the petitioner that the petitioner and the co-accused Pappu Mahto had threatened his son (deceased) one month earlier due to land dispute. It is further submitted that the petitioner had also attended the examination of Bihar Police on 21.08.2024 and after attending the said examination the petitioner returned at Manikpur with some other students and remained at the house of Devanand Singh because suitable space for study point is not available in his own



house. The real fact is that the petitioner was already present at the other place with the reputed person of the village on the alleged date and time of occurrence as alleged by the informant. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 29.08.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and has submitted that the petitioner and other co-accused persons committed murder of the son of the informant. Learned A.P.P. for the State has further refers paragraph nos. 99 and 100 of the case diary and has submitted that on the alleged date and time of occurrence, the tower location of the petitioner was at the place of occurrence and some conversations also took place for many times.

6. Considering the aforesaid facts and circumstances of the case and finding substance in the contention of the learned A.P.P. for the State, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Manikpur P.S. Case No. 94 of 2024, pending in the court of learned C.J.M., Lakhisarai.

7. The application stands rejected.



8. The learned court below is directed to expedite the trial of the petitioner and conclude the same at the earliest.

(Chandra Prakash Singh, J)

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