

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48570 of 2015

Arising Out of PS.Case No. -109 Year- 2011 Thana -UCHAKAGAON District- GOPALGANJ

1. Chandan Manjhi, Son of Subhash Manjhi, Resident of Village- Chanawe,
P.O. + P.S.- Thawe, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikas Ratan Bharti

For the Opposite Party/s : Mr. Sangita Sharma(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 04-12-2015 Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner seeks bail in a case for the offences
punishable under sections 302 and 201/34 of the I.P.C

A dead body of unknown female aged about 40-45
years was lying by the side of Mirganj-Gopalganj main road in
front of Chaiya tola and that lady was earlier seen going to
Lakshbar Mandir and Chanabe and accordingly the Chaukidar
Amarjit Choudhary lodged the fardbeyan. During investigation it
transpires that it was the dead body of Indu Devi and she
developed illicit relationship with co-accused Subhash Manjhi and
then Subhash Manjhi after hatching up conspiracy with the
petitioner and co-accused killed her and threw the dead body.

Submission is of false implication and that there is no

eye witness of the occurrence and only on suspicion the petitioner has been named resulting he is suffering in custody since 24.06.2015 having no criminal antecedent. Charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. after going through the case diary submits that there is no direct evidence.

In the facts and circumstances as stated above, considering that there is no direct evidence and further no one has seen the petitioner in the company of the deceased and as such the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Gopalganj in Uchkagaon P.S. Case No. 109 of 2011, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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