

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35271 of 2015

Arising Out of PS.Case No. -24 Year- 2014 Thana -MAGADH UNIVERSITY District- GAYA

1. Manai Manjhi Son of Bhola Manjhi resident of village - Koshila Sarvoday Puri 12 No., P.S. Magadh University, Bodh - Gaya, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ramjee Manjhi son of Late Ganpat Manjhi resident of village - Supai, P.S. Amas, District - Gaya.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha
For the Opposite Party/s : Mr. Anil Kr. Singh No.1 (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 23-11-2015 Heard the learned counsel for the petitioner as well as the learned A.P.P.

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

Deomatiya Devi @ Khikhir Devi, the sister of the informant, was married with the petitioner and allegedly the petitioner and other co-accused burnt her and brought in Magadh Medical College & Hospital, Gaya where she died.

Submission is of false implication and that the wife of the petitioner was cooking food and accidentally fire caught her Sari and in that process she was burnt and she was brought for

treatment by the petitioner and his family members but she was not saved. The witnesses vide paragraphs- 7, 8, 9 and 10 of the case diary have stated regarding innocence of the petitioner and his family members.

The learned A.P.P. opposes prayer for bail.

In the facts and circumstances as stated above, considering that the witnesses, as stated above, have not supported the prosecution case, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence 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. Gaya in Magadh University P.S. Case No. 24 of 2014, 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.

Abhay/-

(Jitendra Mohan Sharma, J)

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