

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13783 of 2016

Arising Out of PS.Case No. -174 Year- 2005 Thana -HARNAUT District- NALANDA
(BIHARSHARIFF)

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Bhonu Manjhi Son of Krishna Manjhi @ Ram Krishna Manjhi Resident of
Village Bijaypura, Police Station - Parwalpur, District Nalanda.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance:

For the Petitioner/s : Mr. Nand Kishore Prasad Ii, Advocate.
For the Opposite Party/s : Mr. Shailendra Kumar-I, APP.

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 18-05-2016 Heard the learned counsel for the petitioner and the

learned A.P.P representing the State.

The petitioner seeks bail in connection with Session
Trial No. 412 of 2015 arising out of Harnaut P.S. Case No. 174 of
2005 registered for the offence punishable under Section 302 of
the Indian Penal Code.

Allegedly, Sangita Devi the daughter of the
informant was married to the petitioner three years ago and after
eight months of the marriage, Rokshadi was performed, the
petitioner and the daughter of the informant came to house of the
informant ten days ago and thereafter the petitioner went back, the
petitioner made request for *Bidai* of his wife but the informant due

to some domestic problem did not perform the Bidai and in the night of the occurrence, the petitioner and his wife after taking meal slept together but in the morning dead body of the daughter of the informant was found having *dupatta* wrapped in her neck and the petitioner was found absconding.

Submission is of false implication and that there is no eye witness of the occurrence, in the night there was no hue and cry and the witnesses are hearsay, the petitioner has no knowledge about the case but he has been declared absconder and now he is in custody since 07.05.2015.

The learned A.P.P. opposes the prayer of bail by submitting that the petitioner after committing the murder of his wife fled away from his in-laws house and during post-mortem, the cause of death was found due to asphyxia caused by strangulation. Further this is the case of year 2005 and the petitioner remained absconding for about ten years.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, serious in nature and further considering his period of abscondence, I am not inclined to enlarge the petitioner on bail and accordingly his prayer stands rejected in connection with Session Trial No. 412 of 2015 arising out of Harnaut P.S. Case No. 174 of 2005

pending in the Court of learned Additional Sessions Judge, 2nd,
Nalanda at Biharsharif.

However, let the trial be expedited and concluded
as early as possible preferably within nine months from the
receipt or production of a copy of this order.

(Jitendra Mohan Sharma, J)

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