

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8227 of 2016

Arising Out of PS.Case No. -30 Year- 2013 Thana -FATEHPUR District- GAYA

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Raju Manjhi Son of Late Sivan Manjhi Resident of village - Gani Pipra,
P.S. Fatehpur, District - Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar(APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 11-05-2016 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner apprehends arrest in connection with
Fatehpur P.S. Case No. 30/13 for offences alleged under Sections
302/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant,
is that on 29.01.2013 at 08.30 A.M. he received information that
his daughter has been killed by her in-laws by strangulation.
Informant along with other family members reached sasural of his
daughter and saw his daughter dead.

It has been submitted by the learned counsel for
the petitioner that he is the Dewar of the deceased Paro Devi, has
no criminal antecedent and the husband Suresh Manjhi is in
custody since 04.08.2013. It has further been submitted that all the

independent witnesses in the case diary have stated that the husband of the deceased being a drunkard always used to quarrel and beat the deceased. He further submits that the petitioner remained outside the village since 2000 to earn his livelihood and was not present at the time, place of occurrence.

However, learned APP for the State submits that the complicity of the petitioner is not ruled out and the Investigating Officer in his supervision note at paragraph 98 of the case diary found the case true against the petitioner under the aforesaid sections, hence, opposes the prayer for bail.

Be that as it may, since the independent witnesses have named the husband of the deceased, who is in custody, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of eight weeks from today, 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 learned Chief Judicial Magistrate, Gaya, in connection with Fatehpur P.S. Case No. 30/13, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

Rajesh/-

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