

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42834 of 2016

Arising Out of PS.Case No. -59 Year- 2014 Thana -KINJAR District- JEHANABAD

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1. Anchal Manjhi son of Late Baudh Manjhi resident of Village- Kinjer
Bhui Toli, P.S.- Kinjer, District- Arwal. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Prasad Singh

For the Opposite Party/s : Mrs. Dr. Indihar Kumari

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

6 24-04-2017

Heard both sides.

The petitioner seeks bail in Kinjer P.S. case No. 59 of
2014 under Section 302, 201 and 34 of the Indian Penal Code.

The informant alleged that his son, Lutan Manjhi,
was living for last three years in the house of his brother-in-law,
Anchal Manjhi, the petitioner, with his wife and children. On
04.10.2014, the informant got information that his son was killed
by petitioner and other accused persons including the wife of the
deceased.

The learned counsel for the petitioner submits that
petitioner is, of course, named in the FIR but there is no eye
witness of the occurrence. The informant did not disclose the
name of persons who informed him about the occurrence and the
fact that petitioner and others killed his son. During the course of
investigation, in paragraph 84 and 85 of the case diary the
witnesses disclosed that Lutan Manjhi committed suicide. On



similar facts Gendu Manjhi, Bittu Manjhi and Vinod Manjhi have already been enlarged on bail vide orders passed in Cr. Misc. Nos. 9765 of 2017 and 9529 of 2017. The case of petitioner stands on the same footing but it appears that deceased was living in the house of petitioner, Anchal Manjhi. Even the dead body of deceased was found in a sack by the side of a river. The F.S.L. report does not suggest presence of any poisonous substance in the abdomen of the deceased. From perusal of the inquest report, it appears that some scratches were found on the neck of the deceased.

Considering the fact that the deceased was living in the house of petitioner, he became traceless and thereafter his dead body was found in a sack by the side of a river, I am not inclined to enlarge the petitioner on bail, at this stage. Accordingly, the same is rejected.

The trial court is directed to expedite the trial and conclude with same within nine months from the date of receipt of this order.

If the trial is not concluded within nine months, the petitioner may renew his prayer for bail.

(Prabhat Kumar Jha, J)

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