

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5060 of 2019

Arising Out of PS. Case No.-225 Year-2016 Thana- SIRDALA District- Nawada

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1. Guru Manjhi @ Guru Bhuiya, aged about 75 years, male, Son of Daso Manjhi
 2. Kesari Devi, aged about 70 years, female, wife of Guru Manjhi,
Both of resident of Village - Padariya Devchand Mahua, P.S. Sirdala, Distt.
Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj, Adv.

For the Opposite Party/s : Mr. Ajay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 01-02-2019 Heard learned counsels for the petitioners and the
State.

The petitioners, being the parents-in-law of the victim, are languishing in custody since 30.01.2018 in a case registered for the offences punishable under Sections 302, 201 and 34 of the IPC.

The prosecution case, as per the written report of Bundi Manjhi, submitted to the Station House Officer, Sirdala Police Station, is to the effect that the son of the informant, Raju Manjhi, was married with Renu Devi, the daughter of the petitioners, in April, 2015. Thereafter, the informant found that her daughter-in-law, Renu Devi used to talk with some boy. On protest being made, she used to give life threatening to the



informant and his son. On 10.09.2016, the son of the informant went to work at Koderma and on the next day i.e., 11.09.2016, the daughter-in-law of the informant went to her parents house without informing the informant. It is further alleged that on 12.09.2016, petitioner no.2, Kesari Devi came and conveyed to the informant that his son has committed suicide by hanging himself on a mango tree near the house of the petitioners. Thereafter, the informant went to the place of occurrence, and found that the dead body of his son hanging on the mango tree and suspected that his son was killed by the petitioners and others.

It is submitted by learned counsel for the petitioners that as per the FIR, the informant is not the eye witness to the said occurrence. Moreover, there is no eye witness to the said occurrence found during investigation and the investigation has already concluded. It is further submitted that thrust of accusation is against co-accused Renu Devi, daughter-in-law of the informant, and co-accused Aklu Manjhi, cousin of the petitioner no.1, has been granted privilege of bail by co-ordinate Bench of this Court, vide order dated 23.07.2018, passed in Cr. Misc. No.32092 of 2018. A statement has been made in paragraph no.3 of the petition that the petitioners are not having



any criminal antecedent.

Learned APP for the State submits that the petitioners are suspected to commit the offence as the postmortem report reflects that the victim died due to axphyxia, caused by hanging and antimortem injury was also found.

Considering the fact that accusation is based on circumstantial evidence to the effect that the victim died near the house of the petitioners, but there is no direct evidence on record against the petitioners suggesting their involvement in commission of offence, coupled with the fact that the investigation has already concluded, let the above named petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned **A.C.J.M.-V, Nawada** in connection with **Sirdala P.S. Case No.225 of 2016**.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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