

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 8728 of 2019

Arising Out of PS. Case No.-156 Year-2018 Thana- SAKRI District- Madhubani

Manish Kumar @ Manish Kumar Giri, S/o Dilkhush Giri, Resident of Village
– Meghaul, P.S. Pandaul, District Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh

For the Opposite Party/s : Mr. Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 26-04-2019 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner seeks bail in a case registered for the offences
punishable under Sections 302 and 304B/34 of the Indian Penal
Code.

Petitioner is son of co-accused Dilkhush Giri. Dilkhush
Giri had already two wives. The FIR reveals that Dilkhush Giri had
developed extra marital relation with the daughter of the informant.
Dilkhush Giri was visiting along with the daughter of the informant
to different places which was not liked by the family members as a
result whereof all committed assault which resulted in death of the
daughter of the informant.

Learned counsel for the petitioner submits that, in fact,
there is no eyewitness of the occurrence. One person who claims to
have seen the occurrence did not identify the assailant or the victim,
rather the victim disclosed the name of the assailants and their



relationship.

Contention is that either the family members of Giri would have any grudge for the commission of crime alleged or Dilkhush Giri would have any grudge. There is no material to substantiate that all were having any grievance against the deceased. Moreover, the Doctor has found single head injury at the back of the head of the deceased which cannot be attributed against all the FIR named accused persons. Petitioner has got no criminal antecedent and he is in custody since 29.10.2018. Investigation of the case is already complete against the petitioner.

Considering the facts aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sakri Police Station Case No. 156 of 2018, subject to the condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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