

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11277 of 2019

Arising Out of PS. Case No.-33 Year-2017 Thana- CHERKI District- Gaya

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Balendra Manjhi S/o Late Ashok Manjhi Resident of Village - Prahanda, P.S.-
Cherki, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Sinha
For the Opposite Party/s : Mr.Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 18-07-2019 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered under
Sections 302, 304B, 201/34 of the Indian Penal Code.

The prosecution case, in brief, is of committing torture and
caused death of the victim due to non-fulfillment of demand of
dowry.

It has been submitted on behalf of the petitioner that the
petitioners have got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the
petitioner. The petitioner is in custody since 20-07-2017. Charge
sheet in this case has already been submitted. The petitioner has
been falsely implicated in the present case. There is no other
substantive evidence to suggest the implication of the petitioner
in the present case.

On behalf of the State, it is submitted that the petitioner is



named in the FIR. The petitioner is husband of the deceased. The onus is upon the petitioner to explain the cause of death of the deceased. As per the report submitted by the trial court, charge has already been framed.

Considering the nature of accusation and stage of the case, I am not inclined to grant bail to the petitioner. Accordingly, prayer for bail of the petitioner in connection with Bogh Gaya P.S. Case No. 33 of 2017 corresponding to Sessions Trial No. 20 of 2018/31 of 2018 is rejected.

Learned Trial court is directed to take all necessary steps to conclude the trial preferably within nine months from the date of receipt/production of copy of the order.

The District Magistrate and the Senior Superintendent of Police, Gaya are directed to ensure the production of prosecution witnesses on the date fixed by the trial court, so that, the trial could be concluded within the stipulated period.

Let a copy of this order be communicated to the District Magistrate and the Senior Superintendent of Police, Gaya for needful.

(Sudhir Singh, J)

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