

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14518 of 2019

Arising Out of PS. Case No.-70 Year-2009 Thana- GAURICHAK District- Patna

RAJU MANJHI Son of Late Anath Manjhi Resident of Village - Mustafapur,
P.S. - Gaurichak, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ankur Prakash Sinha, Adv.

For the Opposite Party/s : Mr. Bharat Bhushan (App 156)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 08-03-2019 Heard learned counsel for the parties.

Let the defect(s) as pointed out by the Stamp Reporter
be ignored for the present.

Petitioner seeks bail in **Gaurichak P.S. Case No. 70 of 2009 (G.R. No. 1357 of 2009)** registered for the offence punishable under Sections 302, 201 and 34 of the Indian Penal Code.

Informant who is the brother of the deceased has alleged that petitioner along with FIR named accused killed his sister and disappeared his body.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. There is no specific allegation against the petitioner while specific



allegation against the husband of the deceased. It is submitted that the occurrence is of 02.06.2009 whereas FIR has been instituted on 22.06.2019 and there is no explanation for instituting the FIR after delay of 20 days. It has been further submitted that similarly placed co-accused, Tikar Manjhi @ Santosh Manjhi has been granted bail by co-ordinate Bench of this Court as contained in Annexure-2 of the petition. Petitioner has got no criminal antecedent and is in custody since 27.06.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate-IV, Patna City**, in connection with **Gaurichak P.S. Case No. 70 of 2009 (G.R. No. 1357 of 2009)**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court



below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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