

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6402 of 2020

Arising Out of PS. Case No.-229 Year-2018 Thana- PHULWARIYA District- Gopalganj

ANIRUDH KUMAR MANJHI @ ANIRUDH MANJHI Son of Rajkumar
Manjhi resident of Village-Turkaha, P.O and P.S.-Phulwariya, District-
Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Shahi

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 08-06-2020 The petitioner seeks bail in connection with

Phulwaria P. S. Case No. 229 of 2018 dated

09.10.2018 instituted for the offences under Sections

323, 364, 386, 420, 467, 468, 465/34 of the Indian

Penal Code.

It appears from the order dated 03.02.2020

that the petitioner was granted provisional bail for a

period of one month for appearing at an examination

which was to commence from 17th of February, 2020.

The petitioner was, by the aforesaid order, directed to

surrender before the court below and file surrender



certificate in this Court by 18.03.2020. Because of the lockdown, there does not appear to be any statement made on behalf of the petitioner as to whether he has surrendered before the court below on or before the time stipulated in the order referred to above.

This petition, however, is being disposed off on merits but with the caveat that the order would be made effective only if the petitioner is found to have complied with the order dated 03.02.2020 of having surrendered before the court below within one month of the grant of the provisional bail.

The allegation in the F.I.R. is that the husband of the informant was allegedly taken to Phulwaria Block for accepting / receiving some money under Social Security Scheme. However, the husband of the informant never returned. On enquiry from the accused persons, she was told that her husband has been killed. In that connection, the name of the petitioner and others had been arraigned as accused persons in this case.



It appears that the husband of the informant resurfaced, who has also given his statement under Section 164 Cr.P.C. The statement of the husband of the informant is absolutely vague. The allegation that the husband of the informant was made to sign on a conveyance deed with respect to the land on which the house of the informant is situated, does not appear to be correct as no such statement has been made by the husband of the informant in his statement under Section 164 Cr.P.C.

It has been urged on behalf of the petitioner that since the land belonging to the husband of the informant was sold to one Munna Kumar Manjhi for a consideration on 13.08.2018, an attempt in this manner was made to have the money appropriated and the land also not conveyed to the transferee.

The petitioner is the younger brother of aforesaid Munna Kumar Manjhi.

The co-accused persons of this case are



reported to have granted bail by different Benches of this Court.

Regard being had to the afore-stated facts, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. XIII, Gopalganj in connection with Phulwaria P. S. Case No. 229 of 2018.

The petition stands allowed.

(Ashutosh Kumar, J)

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