

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27411 of 2020

Arising Out of PS. Case No.-417 Year-2019 Thana- BARACHATTI District- Gaya

HEMRAJ MANJHI Son of Bundi Manjhi Resident of Village - Bandara, P.S.-
Fatehpur, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamal Kumar Sinha

For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 20-10-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsel are appearing and making submissions from their residence. The Court master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Heard learned counsel for the petitioner and learned APP for the State.

Learned counsel for the petitioner is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.

The petitioner seeks bail in Barchhati (Mohanpur) P.S.



Case no. 417 of 2019 instituted for the offence under Sections 302 and 201/34 of the IPC.

The prosecution case is that the informant's sister, who was married 12 years back, has been done to death by the in-laws where she was continuously being subjected to torture and that her husband was working at Madras has been married with another woman.

Petitioner's counsel submits that being the '*Dewar*', he has been implicated in the instant case only on extraneous consideration though there is no specific allegation against the petitioner. Even as per prosecution case, marriage had taken place 12 years ago and there were three children born out of the wedlock. The petitioner had no concern with the affairs of the victim and her husband, namely, Pankaj Manjhi. The petitioner bears a clean past.

The petitioner is in custody since 24.11.2019.

The learned APP has opposed the prayer for bail.

Considering the aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the ACJM, Sherghati, Gaya in connection with Barchhati (Mohanpur) P.S. Case no.417 of



2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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