

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.14469 of 2021**

Arising Out of PS. Case No.-562 Year-2018 Thana- SHERGHATI District- Gaya

1. GANESH MANJHI @ GANESH MANDAL Son of Govind Manjhi @ Meghu Manjhi Resident of Village - Kusha, P.S.- Sheghati, District - Gaya.
2. Panwasiya Devi Wife of Ganesh Manjhi Resident of Village - Kusha, P.S.- Sheghati, District - Gaya.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 17-06-2021 Learned counsel for the petitioners undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

Petitioners, in the present case, are seeking regular bail in connection with S. Tr. No. 73/2019/353/2019 arising out of Sherghati P.S. Case No. 562/2018 registered for the offences punishable under Section 302/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners are in custody in connection with this case since 11.10.2018. The only witness in course of trial was examined on 28.01.2020 and thereafter no progress has been made in the



trial. It is further submitted that these petitioners are the father-in-law and mother-in-law respectively of the deceased. They are aged about 71 years and 75 years respectively and in the present days pandemic situation the trial is not likely to be concluded in near future.

Learned counsel further submits that the marriage between the sister-in-law of the informant and the son of the petitioners had been solemnized about 10-12 years ago and they had got children out of the said wedlock. It is further submitted that these petitioners had no role to play in the alleged death of the sister-in-law of the informant and they have been made accused only because they happened to be the father-in-law and mother-in-law respectively.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Considering the facts and circumstances of the case wherein these petitioners are the father-in-law and mother-in-law respectively of the deceased and they have remained in jail for about two years eight months by now but the trial is not likely to be concluded in near future particularly in the present days pandemic situation the court is not functioning in physical mode, this Court directs release of the petitioners above named



on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge – VI, Gaya or his successor, in connection with S. Tr. No. 73/2019/353/2019 arising out of Sherghati P.S. Case No. 562/2018, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail



bonds in terms of the above-mentioned order shall not be
delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

