

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27680 of 2021**

Arising Out of PS. Case No.-286 Year-2017 Thana- BARAULI District- Gopalganj

MANORMA MANJHI @ ANARMA MANJHI @ ANARAMA MANJHI
Son of Late Ashish Manjhi @ Ramayan Manjhi Resident of Village -
Batardeh, P.S.- Barauli, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Roy, Adv.

For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP

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

2 21-10-2021 Learned counsel for the petitioner 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 petitioner and Mr. Tarun
Prasad Mandal, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Barauli P.S. Case No.286 of 2017 registered for
the offences punishable under Sections 147, 304(B) and 201 of
the Indian Penal Code. He is in custody since 17.01.2021. The
petitioner has got no criminal antecedent.

Learned counsel for the petitioner submits that the
present case has arisen on the basis of a complaint petition. The
allegation is that the daughter of the complainant was married



with one Srikant Manjhi (co-accused) on 15.06.2014. There are allegations of demand of a bike and a golden chain as dowry from the victim and on non-fulfillment thereof it is alleged that they were torturing the daughter of the informant. It is further alleged that the victim had given birth to a female child and thereafter all the accused persons including this petitioner were torturing the victim for fulfilling the demand of dowry. Further allegation is that all the accused persons collectively administered poison to the deceased.

Learned counsel submits that there are general and omnibus kind of allegations against the accused persons in the FIR. So far as this petitioner is concerned, he is not a family member of the deceased, he happens to be a Pattidar (co-sharer of the husband of the deceased) and has been falsely implicated in this case.

It is further pointed out that the similarly situated co-accused who were also Pattidar of the husband of the deceased and were implicated in this case have been granted bail by learned coordinate Benches of this Court in Cr.Misc.No.76368/2018 and Cr.Misc.No.69425/2018.

Learned APP for the State has though opposed the prayer for regular bail of the petitioner but no distinction could



be drawn out between the case of the petitioner and that of those who have been granted bail by the learned coordinate Benches of this Court.

Considering the facts and circumstances wherein there is no specific allegation against this petitioner, he is not a family member of the husband of the deceased and being a Pattidar some more persons were made accused who have been granted bail by learned coordinate Benches of this Court, in this case the petitioner has remained in custody for about ten months and investigation against him is complete but the trial is not likely to take place in near future, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned J.M.-1st Class, Gopalganj in connection with Barauli P.S. Case No.286/2017, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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'.

