

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37283 of 2021

Arising Out of PS. Case No.-46 Year-2018 Thana- RAUTA District- Purnia

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VIJAY KUMAR MANJHI @ VIJAY KUMAR HARIJAN @ VIJAY
KUMAR BHAI S/O RAM PRASAD MANJHI @ RAM PRASAD R/O
KOLHA, P.S-KOCHADHAMAN, DISTRICT-KISHANGANJ.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Adv.

For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-12-2021 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding

in physical mode in normal course.

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with

Sessions Trial Case No. 89 of 2021 arising out of Rauta P.S.

Case No. 46 of 2018 registered for the offence under

Sections 304(B), 201, 120(B) and 302 of the Indian Penal

Code.

The daughter of the informant is subjected to

assault and torture and she was done to death on account of

non-fulfillment of the demand of dowry made by her in-laws



family members.

Learned counsel appearing for the petitioner submits that the petitioner, who is of clean antecedent, is innocent and has falsely been implicated in this case. In fact, the petitioner happens to be the friend of husband of the deceased and he has not been named in the F.I.R. He has no concern with the alleged occurrence. Mere on the confessional statement of the co-accused, namely, Naved Alam, who happens to be husband of the deceased, this petitioner has been made accused in this case. Save and except the confession of the co-accused, no cogent material has come during course of investigation against the petitioner. Moreover, the co-accused, namely, Istama Jahan @ Jabi Praveen, having more or less similar allegation, has already been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 19.02.2019 passed in Cr. Misc. No. 9768 of 2019. The co-accused, namely, Jamil Akhtar has also been granted bail by a co-ordinate Bench of this Court vide order dated 02.08.2018 passed in Cr. Misc. No. 45448 of 2018. One another co-accused, namely, Mokim @ Mokamuddin has already been granted regular bail by the court below itself. The petitioner is rotting in judicial



custody since 03.03.2021.

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

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned Additional Sessions Judge-IV, Purnea in connection with Sessions Trial Case No. 89 of 2021 arising out of Routa P.S. Case No. 46 of 2018 with the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

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

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.

(Rajesh Kumar Verma, J)

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