

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7258 of 2021

Arising Out of PS. Case No.-119 Year-2020 Thana- PIPRAKOTHI District- East Champaran

Birendra Manjhi Son of Late Ramlal Manjhi, Resident of Village - Dekha
Sariya, P.S.- Piprakothi, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Vagisha Pragya Vacaknavi, Advocate

For the Opposite Party/s : Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 24-06-2021 In view of sudden surge of COVID-19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

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

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Pipra Kothi P.S. Case No. 119 of 2020 registered for offence punishable under section 302/34 of the Indian Penal Code.

The informant has alleged murder of her brother-in-law (Debar), by his wife, mother-in-law and father-in-law.



Learned counsel for the petitioner submits that being a local representative in the panchayat, his name has been stated on extraneous consideration, though the written report which has been lodged two days after the alleged occurrence does not contain any overt allegation against the petitioner. The written report merely states allegations against deceased's wife, his mother-in-law and father-in-law.

Under such circumstances and having no criminal antecedents, the petitioner has been custody now since 08.07.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in Pipra Kothi P.S. Case No. 119 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit 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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