

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31242 of 2021

Arising Out of PS. Case No.-45 Year-2018 Thana- GAUNAHA District- West Champaran

Sohan Manjhi S/o Jalindhar Manjhi Resident of Village - Marjadi, P.S. -
Gaunaha, District - West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 13-04-2022 Registry has pointed out several defects in the

present application.

Learned counsel for the petitioner undertakes to

remove the defects within two weeks.

In view of the undertaking given by the petitioner,

the matter has been taken up for consideration.

Heard Mr. Sanjeev Kumar, learned counsel for the

petitioner and Mr. Parmeshwar Mehta, learned Additional

Public Prosecutor for the State.

The petitioner has renewed his prayer for grant of

bail in connection with Sessions Trial No.516 of 2019 arising

out of Gaunaha P.S. Case No.45 of 2018 registered under

Sections 498-A, 304-B read with 34 of the Indian Penal Code

and Sections 3 and 4 of the Dowry Prohibition Act.



The prayer for bail of the petitioner was earlier rejected by this Court vide order dated 20.11.2019 passed in Cr. Misc. No.42128 of 2019.

It is submitted by the learned counsel for the petitioner that by now the petitioner has remained in custody for three years and eleven months and the trial of the case is at an early stage. Neither the informant nor the doctor nor the investigating officer of the case has been examined during trial so far. He submitted that from perusal of the first information report itself it would be evident that it was the petitioner who had taken his deceased wife to the hospital from where he was overpowered by his in-laws and was handed over to the police whereafter the FIR was registered. He contended that as a matter of fact, while the wife of the petitioner got accidental burn injury, he took her to the hospital for treatment and after being admitted in the hospital she died.

On the other hand, learned Additional Public Prosecutor for the State has opposed the prayer for grant of bail to the petitioner. He submitted that the petitioner is said to have killed his wife for non-fulfillment of demand of dowry within one year.

Considering the totality of the circumstances under



which the case was instituted and the period of about four years undergone by the petitioner in custody, he is directed to 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 4th Additional District & Sessions Judge, Bettiah, West Champaran in connection with Sessions Trial No.516 of 2019 arising out of Gaunaha P.S. Case No.45 of 2018.

(Ashwani Kumar Singh, J)

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