

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31234 of 2021

Arising Out of PS. Case No.-105 Year-2020 Thana- MANJHAGARH District- Gopalganj

SHIVJEE CHAUDHARY S/o Late Babulal Chaudhary R/o village- Shekh
Parsa, P.S.- Manjhagardh, District- Gopalganj

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Mishra, Adv
For the Opposite Party/s	:	Mr.Shyameshwar Dayal,APP
For the Informant	:	Mr. Sheojee Mishra, Adv

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 14-02-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State in virtual Court proceeding.

The petitioner seeks bail in connection with
Manjhagarh P.S.Case No.105 of 2020 registered for the offence
under Sections 341,323,304,504,506 and 34 of the Indian Penal
Code.

The prosecution case, in short, is that on 20.05.2020
at 5.00 A.M. the married daughter, namely, Rita Devi, of the
informant was coming from Maize field. At the distance of 3” a
naked wire was spread due to which she sustained electric short
and she fell down unconscious. When the daughter of informant
did not return, then his wife in search went towards maize field
and saw that Rita was lying unconscious. On the pother of his



wife local people arrived there and saw that the field was surrounded by naked electric wire in which the electric was flowing. Rita Devi was being brought to P.H.C. Manjhagarh but on the way, the accused persons began assaulting them, then the local people intervened the pacified the matter and the doctor of P.H.C. declared Rita Devi dead.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that there was no intention or motive to kill the daughter of the informant. He further submits that there is no eye witness of the occurrence. He further submits that during investigation the investigating officer has neither found any naked wire of electricity nor house of petitioner by which electric wire could be connected rather he has found from the house of the informant to be there and the petitioner is in custody since 02.02.2021.

Learned counsel for the informant as well as learned A.P.P. for the State have vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts, let the petitioner, above named, 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 Chief Judicial Magistrate, Gopalganj in connection with Manjhagarh P.S.Case No.105 of 2020 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 cancelled 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)

Nitesh/-

U		T	
---	--	---	--

