

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36208 of 2021**

Arising Out of PS. Case No.-12 Year-2020 Thana- TETERHAT District- Lakhisarai

KANGRESS MANJHI @ CONGRESS MANJHI S/o- Parmeshwar Manjhi
Resident of Village- Nawadih, P.S.- Tetarhat, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Adv.

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

4 22-02-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Tetarhat P.S. Case No. 12 of 2020 registered for the offence
under Sections 304B and 34 of the Indian Penal Code.

The niece of the informant is subjected to assault
and torture by the petitioner and his parents on account of
non-fulfillment of demand of dowry and ousted her from her
matrimonial home who after sometime hanged herself and
died.

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. He



further submits that the deceased and the petitioner are not husband and wife but, as a matter of fact, both of them were having love affair to each other and the deceased was intended to perform marriage with the petitioner and on being refused by the petitioner, the deceased has committed suicide in the house of her maternal aunt, who is said to be own sister of her father. He further submits that no specific allegation of assault or torture is attributed to the petitioner nor he has demanded any dowry in any manner. The petitioner is rotting in judicial custody since 26.05.2020.

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 A.C.J.M.-Lakhisarai in connection with Tetarhat P.S. Case No. 12 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 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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