

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53677 of 2021

Arising Out of PS. Case No.-330 Year-2020 Thana- GARKHA District- Saran

1. Shivnath Majhi, S/O Late Durga Manjhi R/o village - Minapur, P.S. - Garkha, District - Saran.
2. Jagmohan Manjhi S/o Shivnath Manjhi R/o village - Minapur, P.S. - Garkha, District - Saran.
3. Phulpatti Devi W/o Shivnath Manjhi R/o village - Minapur, P.S. - Garkha, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 04-04-2022 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 petitioners and the learned A.P.P. for the State.

The petitioners seek bail in connection with Garkha P.S.Case No.330 of 2020, registered for the offence under Sections 304(B), 326/34 of the IPC and Section 3/4 of the D.P.Act.

Allegation against the petitioners is that due to non-fulfilment of demand of dowry, they have killed the daughter



of the informant by pouring kerosene oil on her body.

Learned counsel for the petitioners submits that they have clean antecedent and have falsely been implicated in the present case. He further submits that petitioner no. 1 is the father-in-law, petitioner no. 2 is the brother-in-law and petitioner no. 3 is mother-in-law of the deceased. He further submits that it appears from the FIR that the date of occurrence was 22.06.2020 but the FIR was instituted on 23.07.2020 i.e. after delay of about one month without any extension of delay. He further submits that it appears from the FIR that there is general and omnibus allegation against all the accused persons and police after investigation submitted charge-sheet against the petitioners. Petitioners are in custody since 02.10.2020.

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

Considering the fact and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. District and Sessions Judge VIIth, Saran at Chapra in connection with Garkha P.S.Case No.330 of 2020 with the following conditions:-



(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(2) If the petitioners 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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)

khushbu/-

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

