

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64698 of 2021

Arising Out of PS. Case No.-142 Year-2020 Thana- SINGHWARA District- Darbhanga

MAHESH MANJHI Son of Dhorai Manjhi @ Dhodhai Manjhi Resident of
Village - Janar, P.S. - Aurai, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Mishra
For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 13-05-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two weeks of the complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with Singhwara P.S. Case No. 142 of 2020 for the offence punishable under Sections 304B and 120B of the Indian Penal Code.

Allegation made in the F.I.R. is that due to strained relationship between the husband and the wife, the son of the petitioner who is the husband of the victim committed murder of his wife at the parental home of the victim (sasural of the husband of the victim). Allegation against the petitioner is that he along with all the family members and his son had demanded



dowry and due to non-fulfillment of the same, accused persons named in the F.I.R. committed murder of the victim.

Learned counsel appearing on behalf of the petitioner submits that it is admitted that the alleged murder of the daughter of the informant took place at her own residence. The petitioner was not present at the time of alleged commission of murder. Petitioner is the father-in-law and he was living separately from his son. Petitioner is in custody since 18.08.2021. He further submits that the petitioner is even not remotely connected with the alleged commission of murder of his daughter-in-law, hence he may be released on bail on any terms and conditions as imposed by this Court.

Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

Having heard the submission of rival parties, it appears from the allegation made in the F.I.R. that the petitioner had conspired in committing murder of his daughter-in-law along with accused persons mentioned in the F.I.R., but the direct allegation of commission of murder is against son of the petitioner at his own sasural i.e. parental home of the victim in presence of the informant and other family members of the informant, in Para-7 the petitioner has made specific statement



that on the date of alleged occurrence he was working at Muzaffarpur as daily wager. The said fact is reiterated in several paragraphs including Para-14 of the bail application. The place of murder is Brahmpura located under the jurisdiction of Police Station Singhwara and District Darbhanga. No incriminating material has been recovered against the petitioner in course of investigation nor any independent witness has supported the allegation made against the petitioner. In my view, prima facie the petitioner who is the father-in-law of the victim has made out a case to be released on bail.

The petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Darbhanga in connection with Singhwara P.S. Case No. 142 of 2020, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

mantreshwar/-

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

