

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66237 of 2021

Arising Out of PS. Case No.-233 Year-2020 Thana- NARDIGANJ District- Nawada

Nandu Manjhi, Son of Naresh Manjhi @ Sanjay Manjhi, Resident of Village - Jagdishpur, P.S.- Nardiganj, District - Nawadah.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mithilesh Kr. Arya, Advocate

For the Opposite Party/s : Mr.Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 07-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Nardiganj P.S. Case No. 233 of 2020 registered for the alleged offences under Sections 304(B), 201 and 34 of the Indian Penal Code.

As per prosecution case, the daughter of the informant was killed by the petitioner and other co-accused persons on account of dowry demand. They also made the dead body disappear. The petitioner is the father-in-law of the deceased.



The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He has been living separately with the husband of the deceased and he has no concern with their family affairs. The deceased became seriously ill and while being taken to hospital, she died. The informant and his family members were informed and they themselves saw the dead body lying in the cot but they did not wait for cremation. There is no eye-witness to the alleged occurrence. There is no complaint prior to lodging of the FIR regarding any wrong doing by the petitioner or other co-accused persons. The aforesaid facts are also apparent from the FIR that informant has admitted that he saw the dead body and went away saying that he would return next day. This shows the petitioner has not committed any wrong doing. The petitioner is in custody since 17.07.2021 and the charge-sheet has been submitted in this case. The petitioner has got clean antecedent.

Learned APP opposes the prayer for bail submitting that the daughter of the informant died in the house of the petitioner.

Having regard to the submissions made hereinabove and considering the fact that the petitioner is the father-in-law of



the deceased and there is hardly any material in the case diary or on record to connect the petitioner with the death of the daughter of the informant and further considering the submission of charge-sheet along with his period of custody, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Nawada, in connection with Nardiganj P.S. Case No. 233 of 2020, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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