

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68029 of 2021

Arising Out of PS. Case No.-195 Year-2016 Thana- MASHRAK District- Saran

MUNNA MANJHI Son of Ambika Manjhi Resident of Village - Karn
Kudaiya, P.S.- Mashrak, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anjani Parashar, Advocate
For the Opposite Party/s : Mr.Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 25-04-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 201 and 498A of the
Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 13.07.2021, is a person with clean
antecedent and charges have been framed.

Learned counsel for the petitioner submits that the
informant alleges that her daughter was married to the petitioner
nine years ago and after marriage, the accused persons,
including the petitioner, started subjecting her daughter to
torture for dowry. It is further alleged that on 22.06.2016, the
informant got an information that the accused persons, including



the petitioner, had assaulted her daughter and on 23.06.2016, when she went to the place of occurrence, she learnt that family members of her daughter's matrimonial home have killed her and burnt her body with a view to conceal the evidence.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated merely because he is husband of the deceased. It is further submitted that marriage was nine years old and the informant has been examined and has been declared hostile. Learned counsel thus submits that when informant herself has resiled from what she had alleged in the F.I.R. that in itself demonstrates the falsity of the allegation as such, keeping the petitioner behind bars for the present is not required. It is also submitted that in the event, if the petitioner is acquitted of the charges in trial but remains in custody for a long period of time, then there is no mechanism to compensate his incarceration.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 13.07.2021, charges have been framed, petitioner is a person with clean antecedent, the informant has not supported the prosecution case in the trial and has been declared hostile,



let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Mashrak P.S. Case No. 195 of 2016.

If the learned court below comes to a conclusion that the petitioner, after his release, is trying to delay the trial then by a reasoned order, the learned court below will be within it's right to forthwith cancel his bail bonds.

In compliance of the order dated 20.04.2022, a supplementary affidavit has been filed bringing on record the certified copy of the impugned order.

(Satyavrat Verma, J)

Rishi/-

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

