

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70840 of 2021

Arising Out of PS. Case No.-675 Year-2019 Thana- KUDHNI District- Muzaffarpur

1. Arvind Manjhi Son Of Suraj Manjhi Resident Of Village- Bangra Hardas Goan, P.S.- Kudhani, District- Muzaffarpur.
2. Birendra Manjhi S/o Suraj Manjhi Resident of Village- Bangra Hardas Goan, P.S.- Kudhani, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur

For the Opposite Party/s : Mr. Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

6 07-11-2022 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners seek bail in connection with Kudhni

P.S. Case No. 675 of 2019, registered for the offences

punishable under Sections 328, 302 and 34 of the Indian

Penal Code.

The prosecution case as emerging from the FIR is

that husband of informant, Nitu Devi had taken food at the

house of Arvind Manji and on returning from there, he

suddenly fell down on the earth and was declared dead.

The learned counsel for the petitioners submits that



the petitioners are innocent and have falsely been implicated in this case on the account of local politics. He further submits that there is no motive on the part of the petitioners to kill the deceased. He also submits that the petitioners have been languishing in jail since 08.09.2021 and 12.09.2021 respective. He further submits that the deceased was a drunkard and he could have taken poisonous liquor.

It is also stated in paragraph no. 2 of the petition that the petitioners have never moved before this Court for grant of anticipatory bail or regular bail.

It has further been stated that the petitioners have no criminal antecedent.

However, the learned APP for the State vehemently opposes the prayer for bail submitting that the alleged offence is very serious in nature. As per the FSL report, thimate has been detected in the viscera, which shows that the petitioner along with the co-accused have killed the deceased and there is sufficient material in the case diary to support the prosecution against the petitioners.



Considering the aforesaid facts and circumstances, particularly the nature of offence and finding of the FSL, I am not persuaded to enlarge the petitioner on bail at this stage.

The application stands rejected accordingly.

The trial court is requested not to make any unnecessary delay in conclusion of the trial.

The learned counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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