

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1152 of 2022

Arising Out of PS. Case No.-329 Year-2019 Thana- PALASI District- Araria

JUGESH MANJHI Son of Manglu Manjhi Resident of village - Mahadeokol,
P.S. - Palasi, Dist. - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 29-08-2022 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 petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Section 304B/34 of the IPC.

Allegation against the petitioner is of committing torture and caused death of the victim due to non-fulfillment of demand of dowry.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that the petitioner is husband of the deceased and he has not committed



any offence as alleged in the FIR. Further submits that it appears from the FIR that there is general and omnibus allegation against all the accused persons including the petitioner.

Vide order dated 18.07.2022 a report was called for with regard the present status of the trial. Report reveals that on 16.12.2020 charge has been framed against the petitioner under Section 302/34, 304B/34 of IPC and till date out of seven chargsheeted witnesses, no one has been examined as yet.

Learned counsel for the petitioner submits that in view of the report it appears that there is no chance of early conclusion of the trial in near future and the petitioner is in custody since 26.09.2019.

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

Considering the facts and circumstances of the case and period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Palasi P.S. Case No.329 of 2019, corresponding to S.T.No.53 of 2020 with the following conditions:-

(1) Petitioner 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

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