

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24138 of 2023

Arising Out of PS. Case No.-62 Year-2021 Thana- DHANGAI District- Gaya

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1. BECHAN MANJHI @ BECHAN MANDAL S/O SUKHDEV MANJHI Resident of Village and Post- Diwaniya Thana- Dhanghai, Dewanian, District- Gaya.
 2. RITA DEVI D/O SUKHDEV MANJHI Resident of Village and Post- Diwaniya Thana- Dhanghai, District- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar
For the Opposite Party/s : Mr. Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 07-08-2023 Heard the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 302, 34 of the Indian Penal Code.

3. Allegedly, the petitioners killed the brother of the informant, namely, Raju Manjhi by hanging him.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Petitioner no.1 is the brother-in-



law of the deceased and petitioner no.2 is the wife of the deceased. There is no eye witness of the alleged occurrence and the petitioners have been made accused merely on the basis of suspicion. He further submits that in the post mortem report, it is stated that death was caused due to asphyxia caused by hanging. Petitioners have no criminal antecedent.

5 Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as there is no specific overt act against the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** 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 Dhangai P.S. Case No.62 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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