

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33832 of 2021

Arising Out of PS. Case No.-104 Year-2019 Thana- KATEYA District- Gopalganj

Sanni Kumar S/o Nagina Manjhi R/o village- Baherava, P.S.- Kateya,
District- Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithvi Nath Mishra

For the Opposite Party/s : Mr. Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

5 10-01-2023 Heard Ld. counsel for the petitioner and Ld. APP
for the State.

The petitioner seeks bail in connection with Kateya
P.S. Case No. 104 of 2019, registered for the offences
punishable under Sections 304(B) and 34 of the Indian
Penal Code.

The prosecution case as emerges from the F.I.R. is
that the marriage of the informant's daughter, namely,
Manjhu was solemnized with one Sanni Manjhi, according to
Hindu rites and customs in the year 2018. After some times,
the husband and his family members started torturing her
for non-fulfillment of illegal demand of dowry and ultimately



they killed her.

Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that petitioner is husband of the deceased but he is not involved in the alleged offence. He also refers to an application filed by the informant, father of the deceased in the Trial Court wherein he has not supported the prosecution case and he has clearly stated that the informant's daughter used to be ill and she died natural death.

He further submits that the petitioner has been languishing in jail since 24.03.2019.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedents.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances,



this application is allowed, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. A.C.J.M-XV, Gopalganj in connection with Kateya P.S. Case No. 104 of 2019 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioner after



hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

Ld. 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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