

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32601 of 2023

Arising Out of PS. Case No.-422 Year-2019 Thana- NAUTAN District- West Champaran

VISHAL MANJHI SON OF LATE YOGI MANJHI R/O Village- Santa
Mushari Tola, P.S-Jagdishpur, District-West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 03-08-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 23.04.2020 in connection with S.Tr.No.593 of 2022 arising out of Nautan (Jagdishpur) P.S. Case No. 422 of 2019, F.I.R. dated 01.11.2019 registered for the offence punishable under Sections 302,201,34 of the Indian Penal Code.

3. As per the prosecution case, the allegation against the petitioner and his mother, to kill his wife by hanging and thrown her dead body in the field of sugarcane.

4. Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case merely on the ground that the petitioner is husband of the deceased. Further submits that in fact the petitioner and



deceased has performed the love marriage and the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and from bare perusal of the FIR it appears that the deceased had committed suicide herself and the witnesses have also stated in the enquiry that the deceased had committed suicide herself and the police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 23.04.2020.

5. Vide order dated 24.06.2023, a report was called for with regard to the present status of the trial. Report of the learned Trial Court dated 30.06.2023 reveals that the charge has been framed against the petitioner on 12.0.9.2022 and only two witnesses have been examined as yet.

6. Learned counsel for the petitioner submits that in view of the report of the learned Trial Court that there is no chance of early conclusion of the trial in near future and the petitioner is in custody since 23.04.2020 and co-accused, namely, Yashoda Devi @ Jashoda Devi, who is mother-in-law of the deceased, has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 18.01.2023 passed in Cr. Misc. No.74957 of 2022.

7. Learned A.P.P. for the State, on the other hand, has



vehemently opposed the prayer for bail of the petitioner and submits the petitioner carries one more case other than the present one.

8. Considering the aforesaid facts and report of the learned Trial Court, 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 Additional District and Sessions Judge 5th, Bettiah, West Champaran in connection with S.Tr.No.593 of 2022 arising out of Nautan (Jagdishpur) P.S. Case No. 422 of 2019, with the following conditions:-

(I) 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.

(II) 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.

(III) 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)

Nitesh/-

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

