

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36398 of 2023

Arising Out of PS. Case No.-202 Year-2014 Thana- MASAUDHI District- Patna

Manoj Manjhi, S/O Baleshwar Manjhi, R/O Village- Kharat, P.S- Masaurhi,
Distt.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 05-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Sessions Trial No. 416 of 2023 arising out of Masaurhi P.S. Case No. 202 of 2014 registered for the alleged offences under Section 306 of the Indian Penal Code.

3. As per prosecution case, the daughter of the informant was married with the petitioner ten years prior to lodging of the FIR. Allegation against the petitioner is that he used to pick quarrel with his wife in state of intoxication and the daughter of the informant committed suicide by sprinkling kerosene oil and burning herself due to his activities.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. The deceased was mentally ill and short tempered lady. She committed suicide by setting herself on fire over some trivial issue when no one was present in the house. There is nothing on record to show abetment made by the petitioner. There is no eye-witnesses to the alleged occurrence. Learned counsel further submits that there is no tangible material against the petitioner to connect him with the offence as alleged. Charges have been framed but none of the witnesses has been examined till date. The petitioner is in custody since 28.06.2021.

5. Learned APP opposes the prayer for bail submitting that the petitioner is accused in another case bearing Masaurhi P.S. Case No. 192 of 2015 for an offence under Section 302/34 of I.P.C. At this stage, learned counsel for the petitioner submits that the petitioner is on bail in this case.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the lack of substantive material against the petitioner to connect him with the offence as alleged and further considering the period of custody of the petitioner along with framing of charges, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of



learned ADJ-II, Masaurhi/concerned court in connection with Sessions Trial No. 416 of 2023 arising out of Masaurhi P.S. Case No. 202 of 2014, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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