

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55136 of 2022

Arising Out of PS. Case No.-431 Year-2019 Thana- PAROO District- Muzaffarpur

SHAMBHU MANJHI @ KALI MANJHI S/O LATE CHANAR MANJHI
Resident of Village- Karmvari, P.S.- Paroo, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Kumar

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

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 10-02-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with Paroo
P.S. Case No. 431 of 2019 registered for the offences punishable
under Sections 304(B), 201, 34 of the Indian Penal Code.

As per prosecution case, petitioner and others are
alleged to have committed the murder of informant's daughter
for non-fulfillment of demand of dowry.

Learned counsel for the petitioner submits that
petitioner is quite innocent and has committed no offence as
alleged against him in FIR. The petitioner is father-in-law of the
deceased and on account of said reason he has falsely been
implicated in the present case. Petitioner was living separately
from the deceased and her husband Chandan Manjhi. He further



submits that petitioner has no say in the family affairs of the deceased in fact, petitioner has never demanded dowry from the informant side. He further submits that from the perusal of FIR, informant is not the eye-witness of the present case. There is no specific allegation against the petitioner and allegation is general and omnibus in nature. Learned counsel for the petitioner submits that petitioner is in custody since 15.03.2022 and bears no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, petitioner was living separately from the deceased and her husband and he has no say in the family affairs of the deceased, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of learned J.M. Ist Class,
Muzaffarpur in connection with Paroo P.S. Case No. 431 of
2019, subject to following conditions:-

(i) One of the bailors shall be either father or
mother or sister or brother or wife or the person who has sworn
the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will
remain present on all dates and absence for two consecutive
dates without appropriate permission, would be a ground for
cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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