

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56844 of 2022

Arising Out of PS. Case No.-464 Year-2014 Thana- PHULWARISHARIF District- Patna

JAGAN MANJHI Son of Saryu Manjhi Resident of Village- Gonpura, P.S.-
Phulwari Sharif, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhoy Kumar Kashyap
For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 17-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under section 302/34 of the Indian
Penal Code.

As per allegation in the FIR, deceased used to live in
his matrimonial house with his wife. On the alleged date of
occurrence, his father-in-law (petitioner) and brother-in-law
took him out and assaulted him mercilessly as a result of which
he died and with a view to wipe off the evidence, they threw the
dead body in sugarcane field.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case.
Allegedly, deceased died due to brutal assault but as per FSL



report, Aluminium phosphate was detected which is highly poisonous. Allegation made in the FIR is not supported by the FSI report, which creates doubt in authenticity of the prosecution story. Petitioner has no criminal antecedent. He is languishing in judicial custody since 11.01.2020.

The application for bail is opposed by learned APP for the State and submitted that as per postmortem report, deceased has received multiple external injuries caused by hard blunt force.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge XVI, Patna in connection with Phulwari Sharif P.S. Case No. 464 of 2014.

(Sunil Kumar Panwar, J)

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