

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72914 of 2023

Arising Out of PS. Case No.-430 Year-2022 Thana- JAGDISHPUR District- Bhagalpur

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ANGAD KR MANJHI @ ANGAD KUMAR MANJHI Raman Manjhi R/O
village- Tarchha, P.S. Goradih, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subodh Prasad, Advocate

For the Opposite Party/s : Mrs. Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-11-2023 Heard the parties.

2. The petitioner is an accused in connection with Jagdishpur (Goradih) P.S. Case No. 430 of 2022 registered for the offences under sections 304(B) and 120B of the Indian Penal Code lodged on 14.09.2022 by the informant, Jaswant Kumar.

3. As per the prosecution story, the informant's sister was married to the petitioner but was tortured for dowry and lastly on 14.09.2022 got information that she has committed suicide. Accordingly, the FIR.

4. Learned Counsel for the petitioner submits that they were having very cordial relationship and never demanded the dowry. Further from their own version, it is clear that the lady committed suicide and there is no allegation of killing. He being the husband has already lost his wife and is further



suffering by being in custody since 15.09.2022 (as stated in paragraph 9 of the bail application). He has further put on record the deposition of one Sanjay Rishi @ Sanjay Manjhi in course of trial in which he has stated about knowledge of the lady committing suicide and further the husband was present in the house but did not escape. He further submits that in case he is granted bail, he will be diligently appearing in trial which is going on.

5. Learned APP for the State, on the other hand, opposes the prayer for bail stating that death has occurred within a year of marriage.

6. Considering the facts that has come on record as also that the lady has committed suicide, as per the allegation itself, the deposition of Sanjay Manjhi in which facts have been recorded, as stated above which also talks about the earlier relationship of the lady that may be the immediate cause for the action, he has remained in custody since 15.09.2022 and do not have criminal antecedent and as per the undertaking given by the learned Counsel for the petitioner he will not be missing the trial on any single date, this Court is inclined to extend him privilege of bail.

7. If however he fails to attend the trial, the Trial



Court will be free to take steps for cancellation of his bail bond.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned Additional Sessions Judge-II, Bhagalpur in connection with Jagdishpur (Goradih) P.S. Case No. 430 of 2022 (S.T. No. 43 of 2023/Tr. No. 10/23), subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any



criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

9. Nothing observed in the bail petition shall be taken up for consideration in course of trial.

10. With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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