

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73820 of 2023

Arising Out of PS. Case No.-246 Year-2023 Thana- TARAIYA District- Saran

RABINDRA MANJHI SON OF LATE JAWAHAR MANJHI RESIDENT OF
VILLAGE - TARAIYA, POLICE STATION - TARAIYA, DISTRICT -
SARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harish Kumar

For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 28-11-2023 Heard learned counsel for the petitioner, learned coun-
sel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Taraiya
P.S. Case No. 246 of 2023 registered for the offences punishable un-
der Section 304 (B) and Section 201/34 of the IPC.

3. As per prosecution case, petitioner and others are
said to have committed the murder of informant's sister for non-ful-
fillment of demand of dowry. It is further alleged that on 25.07.2023
villagers of Taraiya informed the informant that co-accused persons
have killed his sister.

4. Learned counsel for the petitioner submits that peti-
tioner is in custody since 02.08.2023 and bears no criminal an-
tecedent. Learned counsel orally submits that charge sheet has been
submitted in the case and there is no likelihood of tampering with the



prosecution evidence. He further submits that there is no specific allegation of demand of dowry against petitioner rather the same is general and omnibus in nature. He further submits that informant's sister has died on 25.07.2023 and case was lodged on 31. 07.2023 without giving plausible explanation for the delay. He further submits that dead body was cremated in the presence of informant and his family member and they were already well informed. Learned counsel further submits that petitioner has falsely been implicated in the case as he is father-in-law of the deceased. He further submits that petitioner is living separately from the deceased and his family and he has no say in the family affairs of the deceased and his family members. There was neither demand of dowry nor in any way petitioner is connected with the alleged occurrence. He further submits that petitioner is quite innocent and has falsely been implicated in the case.

5. The learned A.P.P. for the State as well as learned counsel for the informant vehemently oppose the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, petitioner being father-in-law having no say in the family of the deceased, keeping in view clean antecedent of the petitioner, 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 A.C.J.M 1st Chapra, Saran in connection with Taraiya P.S. Case No. 246 of 2023, 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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