

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21511 of 2024

Arising Out of PS. Case No.-476 Year-2023 Thana- KAUWAKOL District- Nawada

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Anil Manjhi @ Pago Manjhi, Gender-Male, aged about 40 years, S/o Late Chamo Manjhi, R/o Vill - Chandrashekhar Nagar, P.S. - Kowakole in the district of Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Sunil Kumar, Advocate

For the Opposite Party : Mr. Ashok Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 24-09-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Kowakole (Rupou) P.S. Case No. 476 of 2023 dated 03.08.2023 registered for the offence punishable under Section 365 of the I.P.C. Later on, Sections 302 and 201 of the I.P.C. were also added.

3. As per the prosecution case, the informant's son Santu Manjhi, performed court marriage with Chanawati Devi who was the daughter of late Chamo Manjhi and after marriage, Chanawati Devi's brothers, namely, Anil Manjhi @ Pago



Manjhi (petitioner), Manoj Manjhi, Bodo Manjhi, Munna Manjhi and Vinod Manjhi used to come his house and always abused him and threatened of dire consequences. It is further alleged that on 02.08.2023, Anil Manjhi @ Pago Manjhi (petitioner) which is brother of Chanawati Devi, forcibly took away his sister Chanawati Devi from the house of the informant and also told the informant and others not to search his sister otherwise he would kill all of them and when on 03.08.2023, the informant went to the house of Anil Manjhi @ Pago Manjhi (petitioner) to meet his daughter-in-law then he saw that the house was locked and on query from nearby people they could not tell anything.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is the brother of the deceased Chanawati Devi. The charge sheet has already been submitted against the petitioner and other co-accused persons. There is general and omnibus allegation against the petitioner. There is no specific overt act against the petitioner. It is further submitted that Chanawati Devi who was the sister of the petitioner was done to death by the informant and his family members and her dead body was thrown in the forest area and later on he has filed



a false case against the petitioner and his family members only with a view to save his skin and his other family members. It is further submitted that during the entire investigation, no witness has come forward in support of the prosecution version and except suspicion, no material has come forward against the petitioner. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 05.08.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the petitioner is the brother of the deceased Chanawati Devi and there is direct allegation against him that he forcibly took away his sister deceased Chanawati Devi from her in-laws house against her will as well as the informant to her paternal home and on 03.08.2023, the dead body of the deceased alongwith *Axe (Tangi)* were recovered from the forest area at the instance of the confessional statement of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the finding substance in the contention of the learned counsel for the State, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Kowakole (Rupou) P.S. Case No. 476 of 2023, pending in



the court of learned Chief Judicial Magistrate, Nawada.

7. The application stands rejected.

8. The learned trial court is directed to conclude the trial of the petitioner at the earliest.

(Chandra Prakash Singh, J)

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