

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22083 of 2024

Arising Out of PS. Case No.-192 Year-2015 Thana- MASAUDHI District- Patna

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HALENDRA MANJHI @ HARENDRA MANJHI S/O BALESHWAR
MANJHI R/O VILLAGE- KHARAT, P.S- MASAUHRI, DISTT.- PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 02-08-2024

Heard the parties.

2. The petitioner is in judicial custody in connection with Masaurhi P.S. Case No. 192 of 2015 for the offence punishable under sections 302, 201, 34 of the Indian Penal Code lodged on 10.06.2015 by the informant, Raj Muni Devi.

3. As per the prosecution story, the allegation is that the informant's daughter was married to this petitioner who used to torture her for dowry and on the fateful day, the husband informed that the lady had left the place leaving the children alone. Later, it came to notice that she was actually murdered and the dead body was thrown under a bridge, finally FIR was lodged.

4. Learned counsel for the petitioner submits that there is no eye witness to the occurrence and only because, he is



the husband, has remained in custody since 25.12.2020 and there is no chance of conclusion of trial, if given a chance, he shall be diligently appearing in trial.

5. Learned APP opposes the prayer for bail submitting that being husband, the onus of the murder squarely lies upon him.

6. In this case, report was called for and as per the report dated 26.06.2024, only one non-official witness out of eleven chargesheet witnesses have been examined. Further, as per the report, neither the informant nor the other non-official witnesses have turned up for examination.

7. Taking into account the aforesaid report as also his period of custody (25.12.2020) i.e. more that three years, the petitioner is ready to diligently appear in trial as undertaken, this Court is inclined to extend him the privilege of bail with conditions.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned A.D.J., Masaurhi, in connection with Masaurhi P.S. Case No. 192 of 2015 subject to the following conditions:

(i) one of the bailor should be the family



member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates 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 six months to mark his 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 the 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.

(Rajiv Roy, J)

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