

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32492 of 2024

Arising Out of PS. Case No.-157 Year-2021 Thana- MUSAHARI District- Muzaffarpur

Manoj Manjhi S/o- Sekhan Manjhi Village- Narauli Ps- Mushhari Dist-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Thakur Brajesh Singh

For the Opposite Party/s : Mr.Ram Naresh Ray

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 09-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Mushhari P.S. Case No. 157 of 2021 corresponding to Sessions
Trial No. 274 of 2022 registered for the offence punishable
under Section-302 of the Indian Penal Code.

3. The informant is father of the deceased. He lodges
the FIR with the allegation that marriage of his daughter, Bindu
Devi (deceased) was solemnized with the petitioner. In the night
of 10-09-2021, he got an information that the petitioner had
committed murder of his daughter (deceased) by pressing her
throat. He rushed to the place of occurrence where the villagers
apprised him that after killing the deceased, the petitioner had



carried the dead body towards the canal.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and he has falsely been implicated in this case. The couple were blessed with the children which shows that the relation between them was cordial. There is no motive in the FIR showing the cause of occurrence. He has also submitted that not a single witness has been examined uptill now whereas the petitioner is languishing in judicial custody for a period of about three years.

5. On the otherhand, learned counsel appearing for the State has opposed the prayer for bail by submitting that the recitals of the FIR is corroborated by the postmortem report which shows that as many as six injuries were found on the person of the deceased which are ante-mortem. As per opinion of the doctor, the deceased died due to haemorrhage and shock.

6. A report was called for from the court below regarding the stage of trial which is available with the record which shows that the charges were framed on 19th May, 2022 and thereafter, summons and bailable warrants were issued by the court below to procure the attendance of the witnesses but not a single witness has been examined uptill now.

7. Considering the fact that the petitioner is in custody



for a period of about three years and not a single witness turned up within three years after framing of the charges despite the issuance of summons andailable warrant of arrest, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IIInd, Muzaffarpur in connection with Mushhari P.S. Case No. 157 of 2021 corresponding to Sessions Trial No. 274 of 2022 subject to the following conditions:

(i) The petitioner shall cooperate with the trial and make himself available as and when required by the court.

(ii) The petitioner will appear in the court below on each and every date fixed in the case and if, he fails to do so on two consecutive dates unless he is prevented by extremely adverse circumstances, the learned court below shall be at liberty to cancel the bail bonds of the petitioner.

(Nawneet Kumar Pandey, J)

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