

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38434 of 2024

Arising Out of PS. Case No.-84 Year-2021 Thana- DERNI BAZAR District- Saran

Amarnath Manjhi Son of Sanjay Manjhi Resident of Village - Maheshiya,
P.S.- Derni, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harish Kumar, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 06-09-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Derni P.S.
Case No. 84 of 2021 registered for the offence punishable under
Sections 304(B), 201, 34 of the Indian Penal Code.

3. All the F.I.R. named accused persons including this
petitioner, on non-fulfillment of demand of dowry, in
furtherance of the common intention are said to have committed
murder of the daughter of the informant.

4. It is submitted by learned counsel for the petitioner
that petitioner is quite innocent and has committed no offence.
He has been falsely implicated in this case due to ulterior
motive. No such occurrence, in the manner as alleged, has ever
taken place. The allegation levelled against the petitioner is



totally false and based on concocted facts. There is no eye-witness to the alleged occurrence. The real fact is that the informant's daughter died due to some abdomen ailment regarding which the informant's side was informed. It is further submitted that in compliance of the order dated 09.11.2023 passed in Cr. Misc. No. 70093/2023, the petitioner surrendered before the learned Magistrate on 18.12.2023 and since then, he has been languishing in jail custody. It is further submitted that the charge has been framed against the petitioner. Petitioner has no criminal antecedent as mentioned in para 3 of the bail application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case as well as the period of custody, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/Successor Court in connection with Derni P.S. Case No. 84 of 2021, subject to the following conditions:

(1) One of the bailors will be own close relatives of the petitioner who will give an affidavit genealogy as to how he is



relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(3) The petitioner shall remain physically present in the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(5) The petitioner shall appear before the Police Station of his local area in the first week of each month till the disposal of the present case.

(Anjani Kumar Sharan, J)

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