

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40574 of 2024

Arising Out of PS. Case No.-70 Year-2022 Thana- ROSHANGANJ District- Gaya

SUJIT KUMAR SON OF MAHENDRA MANJHI @ MAHENDRA
BHUIYAN RESIDENT OF VILLAGE - JURI NAWADIH, P.S. - BAKE
BAZAR, DISTRICT - GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur, Advocate

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 21-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Roshanganj (Banke Bazar) P.S. case No. 70 of 2022 instituted
for the offences under Sections 302/34 of the Indian Penal Code.

3. As per the prosecution case, the informant Rinku
Devi has alleged in her written report that her younger sister
Geeta Devi was doing the profession of goat rearing by taking
loan from Jivika Group and was raising all her three children.
On seeing the poverty of her sister, the informant was bringing
up her both sons in Bodhgaya. The *gotiya* or her sister,
Mahendra Manjhi, Ajay Manjhi, Prakash Manjhi and son of
Mahendra Manjhi namely Sujeet always used to assault her with



a view to dispossess her from the property. On 10.04.2022 in the 1.00 AM night, she received information from mobile No. 7667336200 to son of informant that her sister Geeta Devi died.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in the present case. There is no specific allegation of any assault or overt-act against the petitioner rather the same is general and omnibus. Learned counsel further submitted that informant is not the eye-witness to the occurrence. The petitioner is the nephew of the deceased and he is living in separate house with the deceased and her family members. The co-accused person has already been granted bail by this Bench vide order dated 01.03.2024 passed in Cr. Misc. No. 77936 of 2023. It has been submitted on behalf of the petitioner that the petitioner is in custody since 12.12.2023 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent and no any specific allegation of assaulting the deceased as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.



7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Roshanganj (Banke Bazar) P.S. case No. 70 of 2022, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(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.

(Rudra Prakash Mishra, J)

Alok Verma/-

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