

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46405 of 2024

Arising Out of PS. Case No.-406 Year-2019 Thana- MOTIPUR District- Muzaffarpur

Lakhindra Manjhi Son of Suraj Manjhi R/O Village- Junaida, P.S.- Motipur,
Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

5 17-10-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Motipur P.S. Case No. 406 of 2019 for the offence punishable under section 304(B) of the Indian Penal Code lodged on 08.09.2019 by the informant, Manoj Manjhi.

3. As per the prosecution story, the informant alleged that the petitioner who was married to the deceased forced his sister to consume poison causing death. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that due to some dispute between them, the wife consumed poison, as a result, the death took place which reflects from the fact that the charge-sheet has been submitted under section 306 of the Indian Penal Code.

4. Learned APP opposes the prayer submitting that the



petitioner delayed coming into judicial custody which delayed not only the submission of the charge-sheet but also the trial.

5. Though the allegation is there, charge-sheet has been under section 306 of the IPC, he has remained in custody since 22.11.2023 (para-10 of the petition), do not have criminal antecedent and as undertaken by the learned counsel for the petitioner that he will be diligently appearing in trial, this Court is inclined to extend him the privilege of bail with conditions.

6. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M. -1st (West), Muzaffarpur, in connection with Motipur P.S. Case No. 406 of 2019 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 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 next 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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