

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54570 of 2024

Arising Out of PS. Case No.-652 Year-2021 Thana- RUPASPUR District- Patna

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Raja Manjhi @ Raja Kumar S/o- Late Dharmendra Manjhi Village- Chulahi
Chowk, Musahari, P.S Rupaspur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Jha, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 13-09-2024 Heard the parties.

2. The petitioner is in custody in connection with Session Trial No. 1512 of 2022 arising out of Rupaspur P.S. Case No. 652 of 2021 for the offence punishable under Sections 304(B) and 34 of the Indian Penal Code lodged on 17.12.2021 by the informant, Sonmatiya Devi.

3. As per the prosecution story, in brief, is that the informant has alleged that her daughter Sursatiya Devi was married to Raja Manjhi, (the petitioner herein) as per the rituals and tradition. On 16.12.2021, she got information that her daughter committed suicide by hanging herself. When she reached in laws' house, found her daughter hanging. She suspected that her daughter was murdered by the accused persons. Accordingly, the FIR.



4. Learned counsel for the petitioner submits that he being the husband, have already lost his wife who died by suicide, is in custody since 18.07.2022 (para-1 of the petition), do not have criminal antecedent and given a chance will be appearing in trial diligently without fail.

5. Learned APP opposes the prayer for bail submitting that he being the husband cannot exonerate himself from the alleged death of his wife.

6. Though the allegation is there, the fact remains that he has remained in custody since 18.07.2022, a report was called for and as per the report dated 13.08.2024, only one out of five charge-sheet witnesses has been examined, the petitioner has already given an undertaking to appear in the trial diligently and he do not have any criminal antecedent, this Court is inclined to extend him the privilege of bail with conditions.

7. 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 Additional Sessions Judge, 1st Danapur, Patna, in connection with Rupaspur P.S. Case No. 652 of 2021 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 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;

(iv) 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)

Adnan/-

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