

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68874 of 2024

Arising Out of PS. Case No.-45 Year-2024 Thana- SATHI District- West Champaran

Mankeshwar Patel S/o- Late Murari Patel R/o- Singhpur Purbi Tola PS- Sathi
District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Rana Randhir Singh

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

ORAL ORDER

3 03-12-2024 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Sathi
P.S. Case No. 45 of 2024 instituted for the offences under
Sections 302, 201, 120B, 34 of the Indian Penal Code.

3. As per prosecution case, the allegation against the
accused persons including the petitioner is of unanimously
committing murder of the Informant's sister under a well-
planned conspiracy and hiding the dead body.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
The petitioner is the husband of the deceased. There is no eye-



witness to the alleged occurrence and, save and except suspicion, there is nothing against the petitioner. He further submits that the deceased was a lady of short temperament and, without there being any kind of abatement, only on account of family dispute, she committed suicide by hanging herself which is also corroborated by the postmortem report. Though, the petitioner is the husband of the deceased but, there is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has no concern with the alleged occurrence. The petitioner has no criminal antecedent and is languishing in judicial custody since 25.04.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the petitioner is the husband and the allegation alleged against him is serious in nature. The postmortem report, contained in Para-42 of the case diary, suggests the death caused by asphyxia, as a result of hanging. From Para-29 of the case diary, it appears that the petitioner has confessed his guilt of being involved in the alleged occurrence and, hence, he does not deserve bail.



6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Sathi P.S. Case No. 45 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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