

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78578 of 2023

Arising Out of PS. Case No.-905 Year-2022 Thana- BARACHATTI District- Gaya

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TEMPU MANJHI Son of Late Prabhu Manjhi R/o vill - Gopal Keda, P.S. -
Mohanpur, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 83096 of 2023

Arising Out of PS. Case No.-905 Year-2022 Thana- BARACHATTI District- Gaya

1. TETARI DEVI @ TAREGANI DEVI D/O LATE PRABHU MANJHI, W/O
RAMSWARUP MANJHI @ RAM PRAVESH BHUIYAN R/O VILLAGE-
GOPAL KEDA, P.S.- MOHANPUR, DISTRICT- GAYA
2. RAMSWARUP MANJHI @ RAMPRAVESH BHUIYAN SON OF LATE
SITAL MANJHI R/O VILLAGE- GOPAL KEDA, P.S.- MOHANPUR,
DISTRICT- GAYA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :
(In CRIMINAL MISCELLANEOUS No. 78578 of 2023)
For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate
Mr. Javed Jafar Khan, Advocate
For the Opposite Party/s : Ms. Nirmala Kumari, APP
Mr. Ganesh Prasad Singh, APP

(In CRIMINAL MISCELLANEOUS No. 83096 of 2023)
For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate
Mr. Javed Jafar Khan, Advocate
For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

3 15-03-2024 Heard learned counsel for the parties.

2. The petitioners seek regular bail in connection with



Barachatti P.S. Case No. 905 of 2022 registered for the offence under Sections 302 / 34 of IPC.

3. As per the prosecution case, written report of the informant Dasrath Manjhi is that the marriage of his daughter was solemnized with Yogendra Manjhi as per Hindu rites and rituals ten years ago. It is alleged that after the marriage the accused persons used to torture the informant physically and mentally. On 07.10.2023, he got information that his daughter has died. On this information, he reached at village – Gopalkeda and saw that preparation of funeral was going on. It is further alleged that he informed the police and thereafter police party sent the dead body to ANMMCH, Gaya for post mortem.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. He further submits that investigation is already concluded and the charge sheet has been submitted against the petitioners.

5. However, learned APP for the State vehemently opposed the prayer for regular bail.

6. On perusal of the FIR, case diary and post mortem report of the deceased, it appears that no allegation of demand of dowry was made, only torture was made by the husband of



deceased, petitioner of Cr. Misc. No. 78578 of 2023 is Devar and petitioners of Cr. Misc. No. 83096 of 2023 are married Nanad and Nandoshi of the deceased. There is no specific allegation against the petitioners and on perusal of the post mortem report of the deceased, it appears that death was caused due to hanging.

7. Considering the aforesaid facts and circumstances of the case and also taking into account the period of custody, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - II, Sherghati, Gaya in connection with Barachatti P.S. Case No. 905 of 2022.

(Ramesh Chand Malviya, J)

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