

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77820 of 2023

Arising Out of PS. Case No.-128 Year-2023 Thana- KANTI District- Muzaffarpur

SUNITA DEVI WIFE OF JAYASI MANJHI RESIDENT OF VILLAGE-
AHALADPUR, PS- KANTI, DIST- MAUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Saurav Anand, Advocate
For the Opposite Party/s	:	Mr.Ramchandra Sahni, APP
for the informant	:	Mr. Manoj Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 19-03-2024 Heard Mr. Saurav Anand, learned counsel for the petitioner and Mr. Manoj Kumar, represent the informant as also the State.

2. The petitioner is apprehending arrest in connection with Kanti P.S. Case No. 128 of 2023 instituted under Sections 302/34 of the Indian Penal Code lodged on 17.2.2023 by the informant, Kailash Manjhi.

3. As per the prosecution story, the informant's sister, Babita Devi had married Ajit Manjhi and later, she abandoned him and married Sudhir Manjhi. The allegation is that the wife of Sudhir Manjhi namely Komal Devi along with her associates conspired and led to the killing of lady. The petitioner is the aunt of the Sudhir Manjhi . Accordingly, the FIR.



4. Learned counsel for the petitioner submits that it was a case of suicide which has been coloured as killing. There is inordinate delay in lodging of the FIR inasmuch as, the occurrence took place on 12.2.2023 whereas the FIR was lodged on 17.2.2023. His further submission is that she lives away from the couple, husband is in jail and merely on suspicion, he has been dragged.

5. Learned counsel appearing on behalf of the informant submits that all the family members of the Sudhir Manjhi conspired and killed the lady.

6. Considering the submission as also the facts on record, the petitioner is a lady and aunt of Sudhir Manjhi, needle of suspicion is pointed towards Komal Devi, the wife of Sudhir Manjhi and her associates, she do not have criminal antecedent, this Court is inclined to extend her privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of her arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Kanti P.S. Case No. 128 of 2023 to the satisfaction of learned Judicial Magistrate-



1st Class, Muzaffarpur subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member 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 her bail bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation and make herself available to the police as and when required;

(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 her bail bonds.

(Rajiv Roy, J)

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