

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90108 of 2024

Arising Out of PS. Case No.-151 Year-2024 Thana- GOPALPUR District- Gopalganj

1. Ramashish Manjhi @ Ramashish Manjhi S/o Late Chandradeo Manjhi R/o Village- Sonikpur, P.S- Gopalpur, District- Gopalganj
2. Chandrama Manjhi @ Chandrama Manjhi S/o Late Motilal Manjhi R/o Village- Sonikpur, P.S- Gopalpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 10590 of 2025

Arising Out of PS. Case No.-151 Year-2024 Thana- GOPALPUR District- Gopalganj

1. Umarawati Devi @ Amrawati Devi Wife of Ramasish Manjhi @ Ramashish Manjhi Village -Sonikpur PS -Gopalpur Distrcet -Gopalganj
2. Anjali Kumari Daughter of Ramasish Manjhi @ Ramashish Manjhi Village -Sonikpur PS -Gopalpur Distrcet -Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 90108 of 2024)

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate

For the State : Mr. Sanjay Kumar Pandey, APP

For the Informant : Mr. Akshay Ashish, Advocate

(In CRIMINAL MISCELLANEOUS No. 10590 of 2025)

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate

For the State : Mrs. Pushpa Sinha.1, APP

For the Informant : Mr. Akshay Ashish, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

3 22-03-2025 Since both the petitions arise out of Gopalpur P.S. Case No. 151 of 2024, as such, they have been taken up together and are being disposed of by this common order.

2. Heard learned counsel for the petitioners and



learned APP for the State as well as learned counsel for the informant.

3. In the present case, the petitioners seek bail in connection with Gopalpur P.S. Case No. 151 of 2024 registered for the alleged offences under Sections 103(1), 238 and 3(5) of the B.N.S.

4. As per prosecution case, petitioner Umarawati Devi gave a phone call to the son of the informant and asked him to reach her house to return him Rs.5,00,000/- and his passport. When the son of the informant did not return till late night, the informant went to the house of the petitioner Umarawati Devi who told that her son would return soon. Again on the next date, the informant went to the house of petitioner Umarawati Devi and found the door to be locked. Subsequently, the dead body of the son of the informant was recovered from a ditch near Yogipur canal and the informant named the petitioners for being involved in the murder of her son.

5. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. There is no specific allegation against the petitioners. Petitioner Ramashish Majhi is the husband of petitioner Umarawati Devi and petitioner Chandrama Manjhi is the cousin



of petitioner Ramashish Majhi and petitioner Anjali Kumari is the daughter of petitioner Ramashish Manjhi and all of them have been made accused merely on suspicion. Post-mortem was conducted on the deceased and no external injury was found. However, viscera was preserved for chemical analysis and opinion was reserved about the death of son of the informant. There is no eye-witness to the alleged occurrence and the lodging of the FIR after delay of about 24 hours has no explanation. Learned counsel further submits that there has been dispute regarding money as found in course of investigation. It appears that due to political rivalry, the petitioners have been made accused in this case. Learned counsel further submits that there is no evidence that petitioner Umarawati Devi was last seen together with the deceased. Against petitioner Anjali Kumari, there is no allegation at all except that she was present in her house when the informant reached there. All petitioners are having clean antecedent except petitioner Chandrama Manjhi who was accused in Complaint Case No. 5292 of 2016 but the said complaint case has been dismissed. Petitioners Ramashish Manjhi and Chandrama Manjhi are in custody since 23.07.2024 whereas petitioners Umarawati Devi and Anjali Kumari are in custody since 15.07.2024.



6. Learned APP as well as learned counsel appearing on behalf of the informant vehemently oppose the submission made on behalf of the petitioners. Learned counsel for the informant submits that there is direct allegation on petitioner Umarawati Devi that she called out the son of the informant for return of Rs. 5,00,000/- and passport and for grabbing the said money which was given as loan by the deceased to the petitioner Umarawati Devi, the son of the informant was killed by the petitioners.

7. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the distinct lack of any substantive material against the petitioners to connect them with the offence as alleged and further considering the post-mortem report which shows no opinion has been expressed about the cause of death and also considering the period of custody of the petitioners as well as submission of charge-sheet, the petitioners above named are directed to 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 Additional Chief Judicial Magistrate-V, Gopalganj/concerned court in connection with Gopalpur P.S. Case No. 151 of 2024, subject to the conditions mentioned in



Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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