

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24796 of 2025

Arising Out of PS. Case No.-328 Year-2023 Thana- ATRI District- Gaya

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1. Kari Devi W/O Late Jamuna Manjhi R/O Village- Jagdiha, P.S- Mahkar, District- Gaya
 2. Navlesh Manjhi S/O Late Jamuna Manjhi R/O Village- Dihuri, P.S- Atri, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Syed Asgher Najmi, Advocate
		Mr. Ashutosh Kumar Mishra, Advocate
For the Opposite Party/s :		Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 30-04-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. In this present case, the petitioners seek bail in connection with Atri P.S. Case No. 328 of 2023 registered for the offences under Sections 341, 323, 304 and 504/34 of the Indian Penal Code.

3. As per prosecution case, petitioners assaulted the husband of the informant with *lathi*, *danda* and stones who suffered internal injuries and subsequently died after some time.

4. Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. No occurrence as alleged has ever taken place. The informant has lodged this case merely



on suspicion. Rejection order shows the cause of death has not been mentioned in the post-mortem report and opinion has been reserved for F.S.L. and Histopathological report. This shows there is false allegation against the petitioners who are mother and brother of the deceased. The husband of the deceased died for some other reason and she has falsely implicated the petitioners. Petitioners are in custody since 01.07.2024 and charge-sheet has been submitted. Petitioners are having clean antecedent.

5. Learned A.P.P. opposes the submission made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the post-mortem report does not show death occurred due to any assault or injury and further considering the relationship of the petitioner with the deceased and also considering the clean antecedent of the petitioners as well as their period of custody and submission of charge-sheet, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate,



Gaya/concerned court in connection with Atri P.S. Case No. 328
of 2023, subject to the conditions mentioned in Section 480(3)
of the B.N.S.S. and other 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 bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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