

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87409 of 2024

Arising Out of PS. Case No.-231 Year-2023 Thana- MUFFASIL District- West Champaran

Chhotu Manjhi @ Chhotu Mahto @ Chhotu Kumar S/o- Munnar Manjhi Vill-
Khasaur Ps- Bettiah Muffasil Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Gupta, Adv.

For the Opposite Party/s : Mr.Md. Mushtaque Alam, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 17-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Bettiah (Muffasil) P.S. Case No. 231 of 2023 registered for the alleged offences under Section 302, 201 and 34 of the Indian Penal Code.

03. As per prosecution case, the allegation against the petitioner and other co-accused persons is that they killed the daughter of the informant whose dead body was recovered from an isolated place.

04. Learned counsel for the petitioner submits that the petitioner is husband of the deceased and has been falsely implicated in this case. The petitioner is not even named in the FIR as he has been living in Bangalore in connection with his work. The petitioner was not present at the spot on the alleged date of occurrence as he has been living outside to earn his livelihood. No



specific allegation has been levelled against the petitioner who has not even been named by the informant in the FIR. Except for suspicion there is nothing against the petitioner. The wife of the petitioner committed suicide as she was under depression. Learned counsel further submitted that it was a love marriage and there is no allegation of any dowry demand or torture against the petitioner or any of the co-accused persons. There is no complaint even about misbehavior of the petitioner. The witnesses examined during the investigation have also stated about the absence of the petitioner from the place of occurrence during the incident and several persons stated that it was a case of suicide. Petitioner is having clean antecedent. Learned counsel further submitted that other co-accused persons have been granted anticipatory bail by this Court vide order dated 13.12.2023 passed in Cr. Miscellaneous No. 60102 of 2023 and the case of the petitioner stands on a better footing.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioner. Learned A.P.P. submits petitioner is husband of the daughter of the informant and there is allegation of causing her death against the petitioner and other co-accused persons.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the



vague nature of allegation against the petitioner and further considering lack of substantive material against the petitioner to connect him with the offences as alleged, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of Court of learned C.J.M., Bettiah, West Champaran in connection with Bettiah (Muffasil) P.S. Case No. 231 of 2023, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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