

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21036 of 2026

Arising Out of PS. Case No.-338 Year-2025 Thana- HARSIDHI District- East Champaran

1. Nagendra Manjhi S/o- Agahanu Manjhi @ Agiuni Manjhi @ Agahan Manjhi Resident of Vill- Mehta Tola, Man Tola, P.S.- Harsidhi, Dist- East Champaran
2. Harendra Manjhi S/o- Agahanu Manjhi @ Agiuni Manjhi Resident of Vill- Mehta Tola, Man Tola, P.S.- Harsidhi, Dist- East Champaran
3. Gyanti Devi @ Dhanyanti Devi W/o- Harendra Manjhi Resident of Vill- Mehta Tola, Man Tola, P.S.- Harsidhi, Dist- East Champaran
4. Sukhiya Devi W/o- Nagendra Manjhi Resident of Vill- Mehta Tola, Man Tola, P.S.- Harsidhi, Dist- East Champaran
5. Amrita Devi D/o- Nagendra Manjhi Resident of Vill- Mehta Tola, Man Tola, P.S.- Harsidhi, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar, Adv.
For the State	:	Mr.Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

5 13-07-2026 Heard Mr. Sanjeev Kumar, learned Advocate for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Harsidhi P.S. Case No. 338 of 2025, registered for the offences punishable under Sections 84/303(2)/103(1)/115(2)/351/352/3(5) of the BNS.

3. Based upon the prosecution report it is alleged that while the informant along with his wife, son and son-in-law was



in the State of Karnataka for performing a labour work in a Brick Company, in the meanwhile on 20.05.2025 when the informant's elder daughter visited her house, her younger sister told her that all the accused persons, including the petitioners, enticed away the deceased for the purpose of marriage. It is also alleged that the deceased left her house along with the accused persons after taking ornaments worth Rs. 1,50,000/- and her four-month-old son in her lap. Subsequently, on 24.05.2025, the informant received information that the accused persons had brutally assaulted the deceased and thrown her dead body into a bamboo clump belonging to one Bhola Sah.

4.Learned Advocate for the petitioners referring to the FIR primarily contended that the alleged occurrence of enticing away the informant's daughter took place on 20.05.2025 and the informant came to know about recovery of the dead body on 24.05.2025, the date of which the postmortem was conducted, but surprisingly either before the postmortem or after the same, the FIR has not been instituted and subsequently on 30.05.2025 the present FIR came to be instituted by making an absurd allegation against all the family members of Amit Kumar @ Amit Manjhi around whom the entire prosecution case revolves. It is further contended that neither the informant is an eye



witness to the alleged occurrence nor the daughters of the informant who have disclosed about the incident, their statements have been recorded by the police during the course of investigation. The postmortem report, copy of which is also placed on record to the case diary, reveals that there was no external injury over the body of the deceased. The petitioners are persons of fair antecedent and only on account of some suspicion that the deceased had some good relationship with Amit Kumar @ Amit Manjhi, their names have been implicated in this case.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the daughters of the informant have disclosed that it is the petitioners who have enticed away the deceased and subsequently her dead body was recovered from a bamboo orchard.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the delay in lodging of the FIR, coupled with the fact that during the course of investigation, the statement of the daughters of the informant, who had disclosed regarding the incidence have not been recorded, besides the postmortem



report which suggests no external injuries and also the fact that the petitioners bear fair antecedent, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Motihari, East Champaran/Successor Court in connection with Harsidhi P.S. Case No. 338 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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