

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15475 of 2015

Arising Out of PS.Case No. -149 Year- 2007 Thana -SIKANDARA District- JAMUI

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Gena Manjhi @ Gauna Manjhi Son of Jago Manjhi Resident of village -
Gahlaur, Police Station - Sikandra, District - Jamui

.... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Prasad

For the Opposite Party/s : Mr. Dr. M.K.Gautam(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

02/ 18-05-2015

Heard learned counsels for the petitioner and

the State.

The petitioner is languishing in custody since
22.08.2014 in a case registered for the offences punishable under
Sections 302, 307/34 of the Indian Penal Code and 27 of the Arms
Act.

It is alleged that the accused persons
including the petitioner surrounded Brahmdeo Thakur and
threatened not to depose in the earlier case lodged by him
whereupon co-accused Devendra Yadav, Prakash Yadav and
Masudan Mahto made indiscriminate firing. Subsequently,
Shankar Yadav also resorted to fire killing the father of the
informant on the spot.

It is submitted by learned counsel for the

petitioner that the accusation of firing is not against the petitioner and accused persons against whom overt act has been alleged i.e. Masudan Mahto and Prakash Yadav have been granted bail vide Cr. Misc. No. 18440 of 2009.

It is submitted by learned counsel for the State that in a case of 2007 petitioner was apprehended in 2015.

Considering the fact that assailants have been granted bail, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, IInd, Jamui in connection with Sessions Trial No. 392 of 2010 arising out of Sikandra P.S. Case No. 149 of 2007, but keeping in view of the fact that the petitioner is accused in Sikandra P.S. Case No. 168 of 2005 also and has been arrested in the present case after seven years of the institution of the case, the learned court below will positively cancel the bail bonds of the petitioner, if he defaults for two consecutive occasions.

(Dinesh Kumar Singh, J)

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