

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41357 of 2015

Arising out of PS.Case No. -17 Year- 2004 Thana -SONO District- JAMUI

Teka Manjhi, son of Jhirkhu Manjhi, resident of village Soneltar, Police Station Sona (Charkapathar) District Jamui.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Pankaj Kumar Sinha, Advocate.

For the Opposite Party : Mr. Satyendra Narayan Singh (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 03-11-2015 Heard learned counsel for the petitioner and learned counsel for the State

The petitioner is languishing in custody since 29.01.2013 in connection with Sessions Trial No. 65 of 2009/ S.T. No. 415 of 2012, arising out of Sono P.S. Case No. 17 of 2004 for the offences instituted under Section 302/34 of the IPC.

The prosecution story, in brief, is that the informant Lakhiya Devi alongwith her son Bajrangee Manjhi on 10.02.2004 proceeded for *Fufhar* village *Farka* from his village and they reached at village-*Farka* at about 5.00 A.M. she stayed in the house of Munni Manjhi and her son Bajrangee Manjhi went towards *Farka Musahari* for taking tobacco. She heard some sound and also heard the crying of his son then she alongwith

Dinesh Manjhi reached at *Musahari* and saw that Santosh Singh and Rikesh Singh armed with rifle were fleeing away then she went to the police station but on the way police party met her and she gave her statement.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 29.01.2013 and the charge sheet has been submitted in the case. There is no allegation of tampering of the evidence against the petitioner. From the report submitted by the trial court, it appears that there is no progress in the case. The petitioner is not named in the FIR. Merely on the basis of suspicion the petitioner has been made accused in the present case.

On behalf of the State it has been submitted that the name of the petitioner has come in course of investigation.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Jamui, in connection with Sessions Trial No. 65 of 2009/S.T. No. 415 of 2012, arising out of Sono P.S. Case No. 17 of 2004.

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(Sudhir Singh, J)