

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18139 of 2015

Arising Out of PS.Case No. -112 Year- 2014 Thana -SINGHIYA District- SAMASTIPUR

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Garib Manjhi son of Late Jamun Manjhi, resident of village - Newright,
P.S.- Singhiya, District - Samastipur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 16-10-2015 Heard learned counsel for the petitioner and learned

counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Singhiya P.S. Case No.112 of 2014 registered under sections
120B and 302/34 of the Indian Penal Code.

Earlier case diary was called for in the case which has
been received.

Learned counsel for the petitioner submits that the
petitioner is not named in FIR and his name has surfaced
subsequently only in the confessional statement under section 164
of the Code of Criminal Procedure which was recorded about one
and half month later. He further submits that one Raushan Kumar
Singh, who claims to be tractor helper (Khalasi) has stated that he



witnessed the occurrence. One Ram Pravesh was trying to compel the deceased to come and work for him and on his refusal, on the instruction of Ram Pravesh, Garib Manjhi is said to have provided a rod which was allegedly used in the alleged crime by Ram Pravesh. Learned counsel for the petitioner submits that save and except that the petitioner was there and brought a rod and handed over it to Ram Pravesh, there is no further material in the case diary so as to implicate this petitioner. He submits that there is no plausible explanation offered by the said Raushan Kumar Singh for the delay in making the statement before the Court.

Learned counsel for the State after perusal of the case diary submits that the name of the petitioner was specifically taken by some of the witnesses and it has been alleged that this petitioner provided a rod for committing the crime.

After considering the entire facts and circumstances of the case and the materials available on the record and there being no other material save and except the statement under Section 164 Cr.P.C , let the petitioner, above named, in the event of 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, 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 learned Sub-Divisional Judicial Magistrate, Rosera,
Samastipur in connection with Singhia P.S. Case No. 112 of 2014,
subject to the conditions as laid down under section 438(2) of the
Code of Criminal Procedure.

(Anjana Mishra, J)

Md.S./-

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