

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41776 of 2015

Arising Out of PS.Case No. -5 Year- 2000 Thana -PATAHI District-
EASTCHAMPARAN(MOTIHARI)

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1. Sanjay Jee @ Deonath Manjhi @ Sanjay Manjhi @ Umashankar Manjhi
son of Late Bharat Manjhi Resident of village - Mahmada, P.S. Patahi,
District - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. M. RAB (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 03-12-2015 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Patahi P.S.
Case No. 05 of 2000 registered for the offences punishable under
Sections 396, 427 of the Indian Penal Code and Sections 3, 4, 5 of
explosive Substance Act and Section 17 of C.L.A. Act.

Allegedly 30-40 miscreants armed with rifles
committed dacoity in the house of the informant and killed
Rajkumar Jha by cutting neck by means of sharp cutting weapon.
During investigation the name of the petitioner transpires.

Submission is of false implication and that the
petitioner is not named in the F.I.R.. His name has come in the



confessional statement of co-accused. Nothing incriminating article has been recovered from his possession. The petitioner was in custody in connection with Pakarideyal P.S. Case No. 63 of 2000 from 13.04.2010 but he has been remanded in this case since 11.06.2014. Similarly situated other co-accused namely, Jai Mangal Thakur @ Shivaji and Rajeshwar Ram @ Shankar Jee @ Bhagat Jee @ Rajesh Ram @ Bhagat Ram have been allowed bail vide order dated 04.05.2011 passed in Cri. Misc. No. 12681 of 2011 and other co-accused have already been allowed bail earlier.

The learned A.P.P. after going through the case diary fairly submits that in the confessional statement of co-accused persons, the name of the petitioner has transpired and the petitioner has got criminal antecedent.

In the facts and circumstances stated above, considering that the petitioner has not been put on T.I.P. and nothing incriminating article has been recovered from his possession and, as such, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned Sub-Divisional Judicial Magistrate, Sikrahana, East Champaran at Motihari arising out of Patahi P.S. Case No. 05 of 2000 subject to the conditions that one of the

bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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