

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51708 of 2016

Arising Out of PS.Case No. -116 Year- 2010 Thana -WARSALIGANJ District- NAWADA

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1. Bhonu Manjhi, Son of Hari Manjhi,
 2. Gore Manjhi, son of Late Baleshwar Manjhi,
 3. Basudeo Manjhi, Son of Late Panchu Manjhi, All are resident of
Village:- Jalalpur, P.S.: Warisaliganj, District- Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hansraj, Advocate

For the Opposite Party/s : Mr. Rajeev Nayan, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 13-12-2016 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

Petitioners were earlier granted the privilege of
bail in connection with Warisaliganj P.S. Case No. 116 of
2010 registered for the offence punishable under Sections
366(A), 323, 448 and 504/34 of the Indian Penal Code.
Petitioners misused the privilege of bail as they did not appear
before the learned Court below from 26.05.2013, as such, their
bail bonds were cancelled on 19.04.2016.

It has been submitted by the learned counsel for
the petitioners that they are poor labourers and had gone to
Kolkata in search of work and their Lawyer had not given



information about the cancellation of their bail bonds. No sooner petitioners came to know about that their bail bonds have been cancelled, they surrendered on 31.08.2016. Learned counsel for the petitioners submits that they undertake not to misuse the privilege of bail in future and will appear before the learned Court below as and when required.

However, learned A.P.P. for the State submits that the petitioners have caused undue delay in the trial and have misused the privilege of bail, hence, opposes the prayer for bail.

Be that as it may, on the undertaking of the petitioners, let the petitioners, above named, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned A.D.J.-V, Nawada in connection with Warisaliganj P.S. Case No. 116 of 2010.

This direction for bail is, however, subject to the condition that petitioners will file personal affidavit before the learned Court below separately that they will appear before the learned Court below on each and every date and the learned Court below will take into consideration the affidavit and their failure to appear before the learned Court below on two



consecutive dates without assigning any reason will entail cancellation of their bail bonds without being prejudiced with this order.

(Nilu Agrawal, J.)

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