

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28070 of 2016

Arising Out of PS.Case No. -54 Year- 2008 Thana -SIRDALA District- NAWADA
=====

1. Sharmili @ Sharmili Manjhi son of Late Rambriksha Manjhi, Resident of
Village- Bouni Nagma, P.S- Sirdala, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s Mr. Ataur Rahman
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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

04/ 17.10.2016 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner is in jail custody since 3.7.2008 in a case initially,
registered under section 307, 341, 504 of the Indian Penal Code but
after death of the informant section 302 of the Indian Penal Code was
also added.

Earlier prayer for bail of the petitioner was rejected by this
court vide order dated 15.5.2013 passed in Cr. Misc. no. 44966/2012
giving direction to the trial court to conclude the trial within three
months but trial court has reported that all witnesses have already
been examined except I.O. and to procure the attendance of I.O, trial
court has already written letter even up to D.G.P., Bihar, Patna.

It is matter of great regret that in spite of such a long
detention of the petitioner in jail custody, trial court could not succeed
to conclude the trial of the petitioner due to non-cooperation of higher

police official as police officers are not taking any interest to produce I.O before the trial court.

Considering the aforesaid facts and circumstances as well as the period of detention of the petitioner in jail custody and also taking note of this fact that the petitioner does not have any criminal antecedent, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of Addl. Sessions Judge I, Nawada in Sessions Trial no. 269 of 2008/104 of 2014 arising out of Sirdala P.S. Case no. 54/2008 subject to the conditions that one of the sureties must be close relative of the petitioner who shall sworn an affidavit to this effect as to how he is related with the petitioner and furthermore, the aforesaid surety must be holder of the landed property.

shahid

(Hemant Kumar Srivastava,J)

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