

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32726 of 2016

Arising Out of PS.Case No. -27 Year- 2015 Thana -WARSALIGANJ District- NAWADA

Kailu Manjhi Son of Turan Manjhi Resident of Village:- Chandipur
(Mushari) P.S. Warisaliganj, District Nawada.

The State of Bihar

Versus

.... Petitioner/s

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Sri Kalyan Shankar, Advocate

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

2 20-08-2016

Heard learned counsel for the petitioner and
learned counsel for the State.

In this case, the petitioner is seeking regular bail in
connection with Warisaliganj P. S. Case No. 27 of 2015
registered for the offences under Sections 399, 402, 25(I-B)a,
26 and 35 of the Indian Penal Code.

As per the prosecution story, the police found that
certain persons were assembled for making preparation of
commission of the crime. On the arrival of the police party,
they started fleeing away but two persons namely Dilip Raut
and Rakesh Kumar were arrested on the spot and a country
made pistol and two live cartridges were recovered from their

possession. The name of the petitioner has been surfaced during the investigation. As per the F.I.R., it is alleged that they were preparing to commit the crime with their common intention.

Learned counsel for the petitioner submits that nothing has been recovered from the possession of the petitioner and the petitioner is in jail since 28.09.2015.

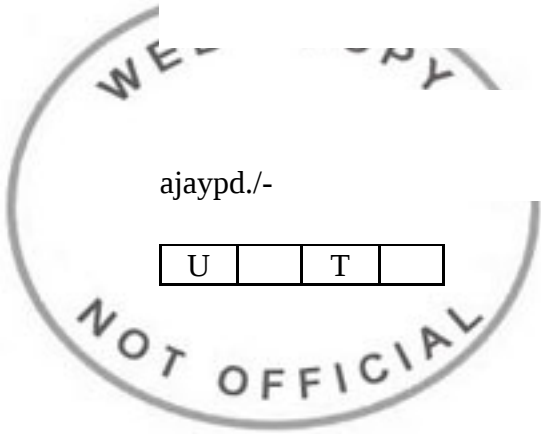
Looking to the entire facts and circumstances of the case, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nawada, in connection with Warisaliganj P.S. Case No. 27 of 2015, subject to the conditions that:-

(i) one of the bailors will be a close relative of the petitioner i.e. mother / father / wife / son of the petitioner;

(ii) if the petitioner is found involved in similar type of case in future, the prosecution will be at liberty to make prayer for cancellation of his bail and the Court below will pass necessary order, including cancellation of bail and;

(iii) that the petitioner would participate in the court proceeding and in the event of being absent on two consecutive dates without reasonable explanation, the court

below will be at liberty to cancel the bail bond of the petitioner.



(Shivaji Pandey, J)