

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47004 of 2016

Arising Out of PS.Case No. -347 Year- 2015 Thana -SAMASTIPUR District- SAMASTIPUR

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Manoj Kumar Sharma @ Manoj Kumar, son of late Nageshwar Sharma,
resident of village/Mohalla Amirganj, P.S.-Samastipur Mufassil, District-
Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner/s : Mr. Ramakant Sharma, Senior Adv.
Mr. Navin Prasad Singh

For the Opposite Party/s : Mr. Binod Kumar No.3, APP

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 26-10-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking regular bail in connection with Samastipur (Town) P.S. Case No.347 of 2015, registered for the offence punishable under Sections 452, 323, 341, 353, 354B and 506 of the Indian Penal Code and under Section 25(1-b) (a)/ 26 of the Arms Act.

Allegation has been made against the petitioner that he entered into the house of a lady Judicial Officer and misbehaved with her.

Earlier the petitioner has moved before this Court in Criminal Miscellaneous No.7956 of 2016 and this Court vide order dated 19.04.2016 rejected the bail application of the

petitioner with a liberty to renew his prayer for bail after completing nine months' judicial custody. The petitioner is in jail since 01.12.2015.

Having considered the facts and circumstances of the case, let the petitioner-Manoj Kumar Sharma @ Manoj Kumar, 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 A.C.J.M.-IV, Samastipur, in connection with Samastipur (Town) P.S. Case No.347 of 2015 (G.R. No.2888 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) the petitioner will not create any nuisance either in the Court proceeding or in the house of any Judicial Officer. If the petitioner is found involved in such 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) the petitioner would participate in the court

proceeding and will remain present on the date fixed for the trial, in the event of being absent on two consecutive dates without reasonable explanation, the Court below will be at liberty to cancel the bail bonds of the petitioner.

(Shivaji Pandey, J)

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