

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8939 of 2016

Arising Out of PS.Case No. -198 Year- 2014 Thana -WARSALIGANJ District- NAWADA

1. Manoj Kumar Son of Dukhi Mahto resident of village - Jhaur, P.S.
Warsaliganj, District - Nawadah.... Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Sunil Kumar Pandey(App)

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

ORAL ORDER

2 22-04-2016

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

The petitioner seeks bail in connection with Warsaliganj P.S.
Case No. 198 of 2014 registered for the offences punishable under
Sections 302, 201, 120B/34 of the Indian Penal Code.

Allegedly, on suspicion one alto 800 Blue colour car was
caught and co-accused Bhuwan Kumar, Rahul Kumar, Dharmendra
Kumar, Sani Kumar and Matendra Kumar were caught whereas the
petitioner fled away and on interrogation they stated that one person of
Jharkhand was called whose name is known to only the petitioner and
he was killed and his dead body was thrown in Sakri river.

Submission is of false implication and that the petitioner was
not caught in the said car, his name was taken by co-accused and
Bhuwan Kumar and Makeswar Nath have already been allowed bail
by another co-ordinate Bench of this Court vide order dated
08.05.2015, 27.01.2015 passed in Cr. Misc. No. 11411 of 2015 and

3089 of 2015 respectively and further co-accused Ram Pravesh Mahto has also been allowed bail and the petitioner is suffering in custody since 07.12.2015 having no criminal antecedent.

Learned APP opposes the prayer of bail by submitting that the petitioner is the member of a gang and actively participated in the crime.

In the facts and circumstances stated above, 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 Chief Judicial Magistrate, Nawada in connection with Warsaliganj P.S. Case No. 198 of 2014, subject to the conditions that one of the bailors must be a 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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