

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35144 of 2016

Arising Out of PS.Case No. -21 Year- 2004 Thana -ATRI District- GAYA

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1. Dharam Manjhi @ Dharma Manjhi S/o late Vishu Manjhi Resident of
Village- Dihuri P.S Atri District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Karn

For the Opposite Party/s : Mrs. Indu Bala Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 17-11-2016 Heard both sides.

The petitioner seeks bail in Atri P.S. case No. 21 of 2004 under Section 302 and other Sections of the Indian Penal Code, Section 27 of the Arms Act, Section 17 of C.L.A. Act and under Section 135(A), 136(A) of Unlawful Activity (Prevention) Act.

The petitioner is not named in the FIR. It is submitted that name of the petitioner figured during the course of investigation. The petitioner has got no criminal antecedent but it transpires that villagers in paragraph 51, 52, 53 and 54 of the case diary disclosed that just before the occurrence the petitioner and other extremists had stayed in their house and thereafter the occurrence took place. The charge sheet was submitted in the year

2005 but the petitioner absconded for more than 11 years. Of course, two other co-accused have been enlarged on bail but the petitioner was absconding for last more than 11 years.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail at this stage. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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