

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9514 of 2017

Arising Out of PS.Case No. -474 Year- 2015 Thana -BODHGAYA District- GAYA

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Baijnath Manjhi @ Pratap Jee Son of Chalitar Manjhi, Resident of Village-
Mahabatpur, Police Station- Sherghati, District- Gaya.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kunwar Narayan Jamuar

For the Opposite Party/s : Mr. Matoloob Rab, APP-34

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

ORAL ORDER

3 27-04-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Bodh Gaya P.S.
Case No. 474 of 2015 registered for the offences punishable under
Section 387 of the Indian Penal Code and Section 17 of Criminal Law
Amendment Act.

Allegedly, 5 % levy was demanded from the contractor who was
constructing road, failing which, threatened to burn the machine,
Dumfer etc. and on the parcha there is written Pratapjee, Field Worker.

Submission is of false implication and that the petitioner has got
no concern whatsoever, only on suspicion the petitioner has been
implicated, there is no allegation against the petitioner, his real name is
Baijnath Manjhi but the Police added his alias name as Pratap Jee,
nothing has been recovered from his conscious possession, without any
fault the petitioner is in custody since 02.01.2016, the petitioner has not
been put on test identification parade though witnesses Rinku Singh,



Manoj Yadav and Pukar Yadav have claimed to identify the petitioner and as such the petitioner deserves sympathetic consideration.

Learned APP opposes the prayer of bail by submitting that the petitioner has confessed his guilt and he has got criminal antecedent also.

In the facts and circumstances stated above, considering that the petitioner has not been put on T.I.P., nothing has been recovered from his conscious possession, 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 Sri Ramesh Kumar J. M. Ist Class, Gaya in connection with Bodh Gaya P.S. Case No. 474 of 2015, 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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