

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5378 of 2017

Arising Out of PS.Case No. -82 Year- 2015 Thana -BHAGWANPUR District- BHABHUA
(KAIMUR)

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Manoj Ram, Son of Late Bideshi Ram, Resident of Village- Rampur, Police
Station- Bhabua, District- Kaimur (Bhabua)..... Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Pathak

For the Opposite Party/s : Mr. Sri Ram Sevak Choudhary

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

ORAL ORDER

2 15-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner wants to renew his prayer of bail, which was
earlier rejected vide order dated 18.04.2016 passed in Cr. Misc.
No. 6847 of 2016, on the ground that Ganesh Kumar Maruya who
has claimed to identify the petitioner taking away Amit Kumar
(victim) has been examined as PW 1 during trial and he has stated
that Dinesh was taking away the victim by wrapping in scarp and
as such the petitioner appears to be falsely implicated and further
the statement of co-accused Chandra Tara Kunwar has got no
evidentiary value in the eye of law. The petitioner is suffering in
custody since 23.09.2015 and as such now he deserves
sympathetic consideration.

Learned APP submits that now Ganesh Kumar Maruya is



retracting from his earlier version but Chandra Tara Kumar confessing his guilt has stated the name of the petitioner and from possession of Chandra Tara Kunwar the victim boy was recovered.

In the facts and circumstances stated above, considering the statement of Ganesh Kumar Maruya as PW 1, 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 6th Additional Sessions Judge, Kaimur at Bhabhua in Sessions Trial No. 284/330/445 of 2015/287 of 2016 arising out of Bhagwanpur (Below) P.S. Case No. 82 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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