

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 31932 of 2016

Arising Out of PS.Case No. -66 Year- 1989 Thana -KOCH District- GAYA

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Manjhil Paswan Dusadh @ Manjhil Dusadh @ Sukhdeo Paswan Son of
Late Moti Paswan Resident of village- Gopalpur, P.S.- Goh, District-
Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mrs. Leelawati Kumari

For the Opposite Party/s : Mr. Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4. 11-01-2017 Heard Smt. Leelawati Kumari, learned counsel for the
petitioner and Sri Madan Kumar, learned Addl. Public Prosecutor.

The petitioner, who is in custody since 27-11-2015,
has prayed for grant of bail in Konch P.S. Case No. 66 of 1989,
corresponding to Sessions Trial No. 16 of 2016/407 of 2004,
registered for offence under Sections 364, 302, 201, 120(B), 34 of
the Indian Penal Code.

It was submitted by learned counsel for the petitioner
that F.I.R. was lodged against unknown, however; during
investigation, on suspicion, petitioner was made accused. It has
been admitted by learned counsel for the petitioner that petitioner
remained absconding, but reason has been assigned that during the
period when in this case chargesheet was submitted, petitioner was
already in custody in another case.

In this case, earlier a report was called for from the



court below regarding stage of the case, which has been received and kept at flag 'A'. The report dated 22-08-2016 of the learned Addl. District & Sessions Judge – VII, Gaya suggests that though charges in the case were framed in the month of March, 2016, till the date of report, despite best effort, the prosecution has failed to produce any witness.

Keeping in view the fact that even after framing of charge for several months none of the witnesses has been examined, let the petitioner namely Manjhil Paswan Dusadh @ Manjhil Dusadh @ Sukhdeo Paswan be enlarged on bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. – VIIth, Gaya in connection with Konch P.S. Case No. 66 of 1989, corresponding to Sessions Trial No. 16 of 2016/407 of 2004, with a condition that one of the bailor must be blood relation of the petitioner and secondly, on each and every date during trial, the petitioner shall remain physically present before the trial court. If continuously on two dates, without prior permission of the trial court, the petitioner remains absent, his bail-bond shall stand automatically cancelled.

(Rakesh Kumar, J.)

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