

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39814 of 2017

Arising Out of PS.Case No. -41 Year- 2016 Thana -KHIJARSARAI District- GAYA

=====

Shrawan Manjhi, Son of Nanhak Manjhi, resident of Village + P.O.-
Dema, Police Station- Khizar Sarai, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2, Advocate

For the Opposite Party/s : Mr. Ahtash Ali Khan, APP

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 23-08-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
06.08.2016 in connection with Sessions Trial No. 371 of 2017
arising out of Khizar Sarai P.S. Case No. 41 of 2016 registered for
the offence punishable under Sections 147, 148, 149, 386, 121,
122 and 124 of the Indian Penal Code, Sections 25(1-b)a, 26 and
35 of the Arms Act, Section 17 of the Criminal Law Amendment
Act and Sections 13, 16, 18 and 20 of the Unlawful Activities
Prevention Act.

The prosecution case is, as lodged by the informant-
police personnel, is that on information that some naxalites have



assembled in the house of Dasai Manjhi, a raid was conducted and three persons were apprehended while others managed to escape. The apprehended co-accused disclosed the name of the petitioner along with others to be their accomplice.

It has been submitted by the learned counsel for the petitioner that he is innocent, no overt act has been alleged to have been committed by the petitioner and it is on the confessional statement of apprehended co-accused that his name surfaced. He submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner and just because he has a criminal antecedent, he has been implicated in the present case.

However, learned A.P.P. for the State opposes the prayer for bail stating therein that as many as four cases are pending against the petitioner and all are of similar nature.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Fast Track Court 1st, Gaya in connection Sessions Trial No. 371 of 2017 arising out of Khizar Sarai P.S. Case No. 41



of 2016, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned Court below on each and every date and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

It is also made clear that if, in future, petitioner indulges in an offence of similar nature, the prosecution will be at liberty to move the learned Court below for cancellation of his bail bonds.

(Nilu Agrawal, J.)

Arjun/-

U		T	
---	--	---	--

