

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.580 of 2017

Arising Out of PS.Case No. -66 Year- 2012 Thana -ROSHANGAANJ District- GAYA

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Manohar Bhuiyan @ Shankar Bhuiyan @ Manohar, Son of Sri Ram Jatan
Bhuiyan @ Fatan Bhuiyan, Resident of village - Khaguna (Chotkapur),
P.S. Domaria, District - Gaya

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan

For the Opposite Party/s : Mr. Madan Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 22-03-2017 Heard Sri Manoj Kumar Jha, learned counsel,

assisted by Mr. Md. Javed Jafar Khan, learned counsel for the

petitioner and Sri Mandan Kumar, learned Addl. Public

Prosecutor.

This is the second attempt for grant of bail on
behalf of the petitioner in Raushanganj(Bankey Bazar) P.S. Case
No.66/2012, registered for the offence under Sections 147, 148,
149, 307, 353, 120(B) and 506 of the Indian Penal Code, Sections
3,4 and 5 of the Explosive Substance Act and Section 17 of the
C.L.A. Act. The petitioner is in custody since 27.08.2014.

Earlier, by order dated 08.02.2017 a report was
called for from the court below regarding stage of the case, which
has been received and kept at Flag-X. The report dated 18.02.2017



sent by the learned I/C Sub Divisional Judicial Magistrate, Sherghaty, Gaya suggests that although the petitioner was remanded in this case on 27.08.2014, till the date of report chargesheet has not been submitted.

The Court is of the opinion that instead of approaching this Court for grant of bail, the petitioner was required to approach the court below for statutory bail. However, considering the fact that the petitioner is in custody since 27.08.2014 without submission of chargehsheet, let the petitioner, namely, Manohar Bhuiyan @ Shankar Bhuiyan @ Manohar be released 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 Sub Divisional Judicial Magistrate, Sherghati at Gaya in connection with Raushanganj (Bankey Bazar) P.S. Case No.66/2012.

(Rakesh Kumar, J)

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