

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30465 of 2018

Arising Out of PS.Case No. -506 Year- 2016 Thana -MASAURHI District- PATNA

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Arvind Manjhi son of late Chandradeo Manjhi, resident of village Basdih,
P.S. Masaurhi, Distrcit-patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

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

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 16-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner along with other co-accused had earlier
moved this Court for grant of bail which was rejected vide order
dated 12.10.2017 passed in Cr. Misc. No. 41738 of 2017.

Petitioner is languishing in judicial custody since
24.03.2017 in connection with Sessions Trial No. 514 of 2017
arising out of Masaurhi P.S. Case No. 506 of 2016 for offences
punishable under Sections 454, 354 (A), 354(B), 341, 323, 302/34
of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while she and her daughter was sleeping in the house, the
petitioner along with three others forcefully entered the house and



tried to commit rape but on hulla of her daughter, they managed to escape. In the morning she called her uncle Vinesh Manjhi who objected to the activity of the petitioner and other co-accused on which they gave lathi and iron rod blow on her uncle who was injured and during course of treatment he died.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and allegations are general and omnibus. He submits that one of the co-accused named along with the petitioner has been granted the privilege of bail by this Court in Cr. Misc. No. 26631 of 2018 vide order dated 02.05.2018. He submits that charges have been framed and the petitioner undertakes to cooperate in the trial.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 Special Judge C.B.I.-I cum Additional Sessions Judge-V, Patna in connection with Sessions Trial No. 514 of 2017 arising out of Masaurhi P.S. Case No. 506 of 2016, subject to the conditions



that:

- (1)

One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (2)

Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Devendra/-

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