

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34814 of 2018

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

Binod Manjhi son of Latodar Manjhi @ Lafodar Manjhi resident of village -
Basdih, Police Station - Masaurhi, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra
For the Opposite Party/s : Smt. Anusuiya Jaiswal

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 27-06-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner had earlier moved for bail along with three
other co-accused 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 others forcibly entered the house and tried
to commit rape and assaulted them. The next day the informant's



daughter called her uncle Vinesh Manjhi, who scolded them on which co-accused Niranjan Manjhi inflicted khanti blow and other co-accused inflicted lathi and danda blow on which he got seriously injured and while taking to the hospital he succumbed to the injuries.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case. He submits that specific allegation is upon co-accused Niranjan Manjhi of inflicting khanti blow on the deceased and his case is similar to that of other co-accused Badaru Manjhi, who has been granted the privilege of bail in Cr. Misc. No. 26631 of 2018 vide order dated 02.05.2018. He further submits that charges have been framed and the petitioner is ready to co-operate in the trial on day-to-day basis.

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 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 following conditions :

- (i) 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.
- (ii) 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)

Rajesh/Pragya

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