

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8410 of 2018

Arising Out of PS. Case No.-64 Year-2017 Thana- GAURICHAK District- Patna

Lakshman Manjhi @ Laxman Manjhi S/o Dashrath Manjhi, R/o Village-Khaira, P.S.- Gaurichak, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarendra Nath Verma, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 21-02-2018 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

This is the second round of litigation. Earlier the prayer for bail of the petitioner was rejected vide order dated 07.09.2017 passed in Cr. Misc No. 26878 of 2017 with liberty to renew his prayer for bail after framing of charge. Petitioner is languishing in judicial custody since 15.03.2017 in connection with Sessions Trial No. 607 2017 arising out of Gaurichak P.S. Case No. 64 of 2017 registered for the offence punishable under Sections 364 and 201/34 of the Indian Penal Code. Later on, Section 302 of the Indian Penal Code has been added.

The prosecution case, as lodged by the informant, is that she along with her husband, Chandan Paswan during Holi festival came to her parental house and in the night of



11.03.2017, her husband was taken away by the petitioner, who later on, came with slippers and towel of her husband and informed that there was fight between them, as a result, her husband had run away. Later on, dead body of the informant's husband was found.

It has been submitted by the learned counsel for the petitioner that he is innocent, does not bear any criminal antecedent, there is no eye-witness to the alleged occurrence and has been falsely implicated on the basis of suspicion. He submits that charges have been framed and trial has not yet begun, but he undertakes to cooperate in the trial on day to day basis.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, named above, 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 1st Additional Sessions Judge, Patna City, District Patna in connection with Sessions Trial No. 607 2017 arising out of Gaurichak P.S. Case No. 64 of 2017, subject to the conditions that:



(1) Both the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating their relationship with the petitioner.

(2) The 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.

(Nilu Agrawal, J.)

Arjun/-

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

