

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.40189 of 2017**

Arising Out of PS.Case No. -343 Year- 2015 Thana -SHERGHATI District- GAYA

=====

Chandan Kumar @ Chandan Manjhi @ Chandan Marandi S/o Late Brij  
Mohan Mahto @ Late Brij Mohan Prasad, resident of Village- Manjhaulia,  
P.S.- Raushanganj, District- Gaya.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Shivendra Prasad

For the Opposite Party/s : Mr. Sri Rajeev Nayan

=====

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
**ORAL ORDER**

3      10-01-2018                      Heard the learned counsels for the petitioner and the  
  
State.

The petitioner seeks bail in connection with Sherghati  
P.S. Case No. 343 of 2015 dated 30.12.2015 instituted for the  
offences under Sections 387, 435, 427 and 34 of the Indian Penal  
Code and Section 17 of the C.L.A. Act.

The officer-in-Charge of Sherghati Police Station  
received information that some miscreants have set fire to the  
cable drums which was kept at the place of occurrence for  
electrification. The police team which visited the place of  
occurrence was informed by the local villagers that the petitioner  
and about 15-20 others had come in the previous night and had set  
the cable drums on fire. The reason for torching the government



property is non-payment of the levy imposed on the contractor by the organization of which the petitioner is also a member.

Learned counsel for the petitioner has submitted that on vague information, the present FIR has been lodged in which the petitioner has been named. His name finds mention in the FIR merely because earlier also the petitioner was made accused in a case of similar nature vide Sherghati P.S. Case No. 251 of 2017. It has further been submitted that similarly situated accused persons have been granted bail by different Benches of this Court, primarily on the ground of the informant not disclosing the name of such persons who spoke about the participation of the petitioner and others in the crime.

Considering the aforesaid facts, as also the period of custody of the petitioner which is from 07.07.2017, the petitioner above named is directed to be released on bail on his furnishing bail bond in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Sherghati P.S. Case No. 343 of 2015.

However, it is made clear that in case the petitioner is found to be involved in any case of similar nature, it would be open for the investigating agency to seek cancellation of the bail



granted to be petitioner in this case as well as in the other case about which reference has been made in paragraph-3 of the petition.

**(Ashutosh Kumar, J)**

KKSINHA/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

