

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3518 of 2018

Arising Out of PS. Case No.-127 Year-2009 Thana- ATRI District- Gaya

Ram Janam Manjhi @ Bannu Manjhi, Son of Mahavir Manjhi @ Bichali Manjhi, Residence of Village- Yogiya, P.S.- Mohanpur, Distt- Gaya, at present residing at Village- Bhagalpur, P.S.- Wazirganj, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate Mr. Sanjay Kumar Sharma, Advocate
For the State	:	Mr. Sri Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

6 13-07-2018 Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner, already in custody, seek bail in connection with Atri P.S. Case No.127 of 2009, giving rise to Sessions Trial No.117 of 2017/615 of 2016 (S.J.) registered under Sections 302/34 of the Indian Penal Code, under Section 27 of the Arms Act as well as under Section 17 of the C.L.A. Act.

Allegation in brief is that while the informant was coming along with one Manoj Kumar, intercepted on the way by the members of the extremist group named in the FIR and they started making indiscriminate firing as a result Manoj Kumar died at the spot. However, the informant escaped away and identified member of extremists including the petitioner.



Learned counsel for the petitioner submits that there is general and omnibus allegation against all accused and the petitioner has been in custody for more than two years precisely since 12.02.2016; whereas the learned counsel for the State submits that the petitioner was absconding for a long period as it is a case of the year 2009 and recently charge has been framed against the petitioner.

Having considered the aforesaid facts and circumstances in particular the petitioner earlier absconding, so the Court is not inclined to grant bail to the petitioner. Accordingly, the prayer of bail of the petitioner is rejected at this stage with a direction to the trial court to expedite the trial and preferably conclude the same within a period of 1½ years.

If the trial is not concluded within the stipulated period, the petitioner may renew his prayer of bail.

(Arun Kumar, J)

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