

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36863 of 2018

Arising Out of PS.Case No. -123 Year- 2004 Thana -MASRAKH District- SARAN

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Manoj Kumar Singh @ Manoj Singh, S/o Late Mahar Singh, Resident of
Village- Komdh Bhagwanpur P.S.- Panapur, Distt- Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kumari

For the Opposite Party/s : Mr. Sri Rajballabh Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 11-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner had earlier moved this Court for grant of bail
which was rejected vide order dated 31.01.2018 passed in Cr.
Misc. No. 62416 of 2017, the petitioner had misused the privilege
of bail and his bail bonds were cancelled on 14.03.2012 and since
then he was absconding and ultimately arrested by the police on
01.11.2017 since then he is in judicial custody.

Petitioner seeks bail in connection with Sessions Trial
No. 533 of 2006 arising out of Mashrakh (Panapur) P.S. Case No.
123 of 2004 for offences punishable under Sections 147, 149, 323,
448, 436 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is



that the petitioner along with two others came to the house of the informant assaulted the informant's brother and also fired and lit the house on fire.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and is languishing in judicial custody since more than eight months. He undertakes to cooperate in the trial on day to day basis, appear as and when required and a sympathetic consideration be given as he did not know that earlier his bail bonds have been cancelled as Pairvikar had not informed him.

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-VIII, Saran at Chapra in connection with Sessions Trial No. 533 of 2006 arising out of Mashrakh (Panapur) P.S. Case No. 123 of 2004, 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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