

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26213 of 2019**

Arising Out of PS. Case No.-206 Year-2017 Thana- BARACHATTI District- Gaya

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BALI MANJHI @ BALI BHUIYAN S/o Late Fakirchand Manjhi R/o village-
Mahabbatpur, P.S.- Sherghati, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Paras Nath

For the Opposite Party/s : Mr.Ajit Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-05-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since
05.10.2018 in connection with Barachhati (Mohanpur) P.S. Case
No. 206 of 2017 for offences punishable under Sections 392/34
of the Indian Penal Code.

The prosecution case as lodged by the informant is
that while he had gone to bring Diesel oil, four miscreants on
gun point snatched the motorcycle and Rs. 10,000/- and fled
away.

It has been submitted by the learned counsel for the
petitioner that he is innocent and his name surfaced only on the
statement of the local villagers as described by the informant.



He submits that nothing has been recovered from his conscious possession and the motorcycle was found abandoned in the Jungle. He further submits that charge-sheet has already been submitted and the petitioner is languishing in judicial custody since more than seven months. It is further submitted that two of the co-accused on similar allegations have since been granted the privilege of bail by coordinate Bench of this Court in Cr. Misc. No. 45676 of 2017 dated 19.09.2017 and Cr. Misc. No. 56279 dated 13.12.2017

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not bear a clean antecedent and two more cases of similar nature are pending against him.

Considering the nature of allegations, period of custody and that the charge-sheet has already been submitted, let the 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 the learned Additional Chief Judicial Magistrate, Sherghati, Gaya in connection with Barachhati (Mohanpur) P.S. Case No. 206 of 2017, subject to the conditions that:

- (1) One of the bailors would be close relative of the



petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.

(2) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned Court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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