

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37442 of 2019

Arising Out of PS. Case No.-429 Year-2012 Thana- BARACHATTI District- Gaya

1. Ram Pravesh Manjhi @ Rampravesh Manjhi Son of Ramji Manjhi Resident of Village/Mohalla- Ganguar, P.S.- Barachatti, District- Gaya, Bihar.
2. Sukan Manjhi @ Shukkar Manjhi Son of Rama Manjhi Resident of Village/Mohalla- Ganguar, P.S.- Barachatti, District- Gaya, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No.2, Advocate

For the Opposite Party/s : Mrs. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 04-09-2019 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in Barachatti P. S. Case No. 429 of 2012 instituted for the offence under Sections 364, 302 and 201 of the Indian Penal Code.

The petitioners are in custody since 11.03.2019.

This is a case of misuse of privilege of bail. The Additional District and Sessions Judge VIII, Gaya has mentioned in the impugned judgement that earlier also bail bonds of the petitioners had been cancelled. All the accused persons are facing trial in this case, registered for the offence under sections 364, 302, 201 and 34 of the Indian Penal Code. The petitioners did not appear on 31.10.2018 and they did not give any satisfactory reason for their non-appearance as the case was scheduled for statement/deposition since before and,



thereafter, the bail bonds of the petitioner were cancelled on 31.10.2018.

This Court is of the view that petitioners have sufficiently been punished for the laches on his part.

Considering the aforesaid, let the petitioners, above named, be released 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 Additional District and Sessions Judge VIII, Gaya, in connection with Barachatti P. S. Case No. 429 of 2012 subject to the following conditions:-

(i) Both the bailors shall be the close relative of the petitioners.

(ii) The petitioners shall be present on each and every date fixed by the Court and absence on two consecutive dates without valid reason will result in cancellation of bail bonds of the petitioners.

(iii) If petitioners tamper with the evidence in the case, prosecution will be at liberty to move for cancellation of bail bonds of the petitioners.

(Prabhat Kumar Singh, J)

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