

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78402 of 2018

Arising Out of PS. Case No.-64 Year-2002 Thana- ASHOK PAPER MILL District-
Darbhanga

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Anil Manjhi @ Ajay Manjhi, son of Ramchatur Manjhi @ Chatur Manjhi,
resident of village – Habasha, District- Darbhanga

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kedar Jha

For the Opposite Party/s : Mr.Smt. Sahin Begam

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 28-01-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody since 07.07.2018 in connection with Ashok Paper Mill P.S. Case No. 64 of 2002 corresponding to Sessions Trial No. 272 of 2008 for the offence registered under Section 395 of the Indian Penal Code and Section 3/4 of the E.C. Act and Section 17 of the C.L.A. Act.

Learned counsel for the petitioner submits that the petitioner is in custody on account of the fact that his bail bonds were cancelled for non-appearance in the Court below. It is further submitted that though the petitioner was earlier on bail and since the trial was continued for a considerable length of time, the petitioner had to go outside for earning his livelihood



and for this reasons, *pairvi* could not be made in this case and, the bail bonds were cancelled and consequence thereof, he has been taken into custody. It is further submitted that the lapse was not intentional rather the same had been necessitated on account of the fact that he had to go outside for earning his livelihood. It is further submitted that the petitioner shall cooperate henceforth in the trial and, shall be present on each and every date, so that, the progress of the trial may not hinder any further.

Considering the aforesaid undertaking given before this Court, let the petitioner, 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 1st Additional Sessions Judge, Darbhanga in connection with Ashok Paper Mill P.S. Case No. 64 of 2002 arising out of Sessions Trial No. 272 of 2008, subject to the following conditions:-

1. One of the bailors will be his own blood relative, preferably, father, mother, son, brother, sister and/or his wife.
2. The petitioner shall not indulge himself in any similar offence till conclusion of the trial.
3. The petitioner shall remain physically present in



court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

4. The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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