

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18895 of 2020

Arising Out of PS. Case No.-176 Year-2006 Thana- SILAO District- Nalanda

Manju Kewate Son of Jageshwar Kewat Resident of Village-Kanku Bigha,
P.S. - Ben, District - Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Samir Kumar Sinha, Advocate
For the Opposite Party : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 08-07-2020 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

The petitioner is in custody in connection with Silao
(Nalanda) P.S. Case No. 176 of 2006 for the offence under
Section 395 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner has no criminal antecedent and he is in custody since
04.01.2020. He further submits that the allegation against the
petitioner is that he was involved in robbing Barat party along
with others. The first information report was lodged on
04.06.2006 after two days of the alleged incident which took
place on 02.06.2006. He further submits that nothing has been
recovered from conscious possession of the petitioner.

Learned counsel for the petitioner submits that the



petitioner was not aware of the institution of the case as he had gone outside the State to earn his livelihood and as soon as he learnt about the case, he surrendered before the court on 04.01.2020 and since then he is in custody. He further submits that other accused persons, namely, Hira Kewat , Shankar Kewat, Krishna and Fakira Kewat have been acquitted of the charges by the trial court vide judgment and order dated 15.01.2018 passed in Sessions Trial No. 221/2007.

Considering the fact that the petitioner has no criminal antecedent and there is delay of two days in lodging the FIR and there is no plausible explanation for lodging the same and other accused persons, namely, Hira Kewat , Shankar Kewat, Krishna and Fakira Kewat have been acquitted of the charges by the trial court, the Court is inclined to grant bail him. The petitioner, named above, is directed to be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Silao (Nalanda) P.S. Case No. 176 of 2006, subject to the condition that on release, the petitioner shall render his service as volunteer in the District Health Centre for a period of one month in dedicated Covid hospital. He is required to report the



District Nodal Officer in the concerned region who shall utilise
the service of the petitioner appropriately.

(Anil Kumar Upadhyay, J)

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