

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25221 of 2020

Arising Out of PS. Case No.-86 Year-1998 Thana- NATHNAGAR District- Bhagalpur

MANOJ SHARMA, Male, aged about 46 years, Son of Rajendra Mistri,
Resident of Village- Panjwara, Police Station Panjwara in the District of
Banka.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Prasad Roy

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 28-09-2020 Heard both sides through video conferencing.

The petitioner seeks bail in Sessions Trial No.589 of
2019, arising out of Nath Nagar P.S. Case No.86 of 1998,
registered under Section 364 of the Indian Penal Code.

The informant filed a complaint petition alleging
therein that the petitioner and other accused persons took
Kundan Kumar Sharma with them but her son did not return.

Learned counsel for the petitioner submits that other
accused persons have already been acquitted. The petitioner is
in jail since 03.09.2019. The prosecution witnesses including the
victim have already been examined and the case is pending only
for examination of the Investigating Officer. The evidence of the
prosecution should have been closed because the evidence of



the Investigating Officer would not improve the case of the prosecution. Even then the petitioner is in jail for about 13 months for misuse of privilege of bail for 13 years.

Taking into consideration the fact that the petitioner is in jail since 03.09.2019, as stated in para 14 of the bail petition, and he has remained in jail for about 13 months, petitioner, namely, Manoj Sharma is directed to 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 learned Additional District and Sessions Judge-V, Bhagalpur in connection with S.T. No.589 of 2019, arising out of Nath Nagar P.S. Case No.86 of 1998.

(Prabhat Kumar Jha, J)

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