

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31589 of 2020

Arising Out of PS. Case No.-621 Year-2015 Thana- DANAPUR District- Patna

MANOJ SHARMA Son of Late Mahendra Sharma Resident of Village -
Turha Toli, P.S.- Danapur, Distt.- Patna (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saket Tiwary

For the Opposite Party/s : Mr.Arun Kumar Singh-5, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 07-01-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard both parties.

The petitioner seeks bail in Danapur P.S. Case No.
621 of 2015 corresponding to Sessions Trial No. 467 of 2016,
registered for the offence punishable under Sections 147, 149,
323, 307 and 504 of the Indian Penal Code and section 27 of the
Arms Act. Later on, section 302 of the Indian Penal Code was
added.

Earlier the bail application of petitioner was rejected
vide order dated 25.09.2019 passed in Cr. Misc. No. 44010 of
2019 with a direction to the trial court to expedite and conclude
the same within a period of nine months from the date of order.
On the last occasion, vide order dated 05.12.2020, report was



called for regarding stage of trial from the court below and the same has been received which is kept at flag 'A'. On perusal of the same, it appears that no progress has been made in the trial in spite of lapse of more than a year.

It is submitted on behalf of the petitioner that other, co-accused Ganesh Sao @ Ganesh Saw having identical and similar allegation has already been granted regular bail by a coordinate Bench of this court vide order dated 13.09.2017 passed in Cr. Misc. No. 41354 of 2017. Petitioner is in custody since 08.02.2016.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to 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 Sessions Judge 7th, Danapur, Patna in connection with Danapur P.S. Case No. 621 of 2015 corresponding to Sessions Trial No. 467 of 2016, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates



without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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