

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12980 of 2024

Arising Out of PS. Case No.-302 Year-2015 Thana- BARACHATTI District- Gaya

1. Rajendra Manjhi Son Of Saheb Manjhi Resident Of Village- Balijori Bigha, Jaiprakash Nagar, Ps- Bodh Gaya, Dist- Gaya
2. Dwarika Manjhi Son Of Munna Manjhi Resident Of Village- Balijori Bigha, Jaiprakash Nagar, Ps- Bodh Gaya, Dist- Gaya
3. Aklu Manjhi @ Akal Manjhi Son Of Late Shyam Manjhi Resident Of Village- Balijori Bigha, Jaiprakash Nagar, Ps- Bodh Gaya, Dist- Gaya
4. Darogi Manjhi Son Of Kailash Manjhi Resident Of Village- Balijori Bigha, Jaiprakash Nagar, Ps- Bodh Gaya, Dist- Gaya
5. Bira Manjhi @ Vira Manjhi @ Mahabir Manjhi Son Of Kali Manjhi Resident Of Village- Balijori Bigha, Jaiprakash Nagar, Ps- Bodh Gaya, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Kumar Barnwal, Advocate
For the State : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

6 28-06-2024 Heard Ld. counsel for the petitioners and learned APP
for the State.

2. The petitioners seek regular bail in connection with Sessions Trial No. 85 of 2023/32 of 2023 arising out of Barachatti (Mohanpur) P.S. Case No. 302 of 2015 dated 27.07.2015 registered for the offences punishable under Sections 302, 201, 120(B)/34 of the Indian Penal Code and Section ¾ of Witch Craft Act.

3. Ld. counsel for the petitioners submits that the



petitioners had moved this Court earlier for regular bail *vide* Cr. Misc. No. 887 of 2022, which was rejected *vide* order dated 10.01.2023, with an observation that if the trial is not concluded within six months, the petitioners would be at liberty to renew their prayer for bail. He further submits that since the trial has not been concluded within the stipulated time, the petitioners, *vide* present application, has renewed their prayer for bail.

4. He further submits that the petitioners are languishing in jail since 08.08.2021.

5. It transpires from the report received from the Court of Ld. Additional District & Sessions Judge, Sherghati, Gaya in connection with Sessions Trial No. 85 of 2023/32 of 2023 arising out of Barachatti (Mohanpur) P.S. Case No. 302 of 2015, that charge against the petitioners has been framed and the case is running for evidence, for which summons to witnesses have been issued.

6. Considering the aforesaid facts and circumstances, particularly the fact that the trial has not yet been concluded, this application is allowed, directing the petitioners, above named, to be enlarged on bail on their furnishing bail bond in the sum of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Ld. Additional



District & Sessions Judge, Sherghati, Gaya, in connection with Sessions Trial No. 85 of 2023/32 of 2023 arising out of Barachatti (Mohanpur) P.S. Case No. 302 of 2015 on the following conditions:

(i) The petitioners will make himself available for interrogation by a police officer/Court as and when required.

(ii) The petitioners will undertake that investigation/trial will not hamper on account of their absence or non-cooperation. They must be available to the police or the court whenever their presence are required.

(iii) The petitioners shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedent, Ld. Court below shall cancel the bail bond of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding the previous bail petition is



wrong, Ld. Court below shall cancel the bail bond of the
petitioners.

(Jitendra Kumar, J.)

S.Ali/ravishankar

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