

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24879 of 2024

Arising Out of PS. Case No.-5 Year-1993 Thana- MOKAMAH District- Patna

Bechan Manjhi, Male aged about 49 years, Son of Nepali Manjhi, Resident of
Village- Gosai Gaun, Pokharpar, P.S.- Ghoswari, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 08-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Mokama PS Case No. 5 of 1993 instituted for the offences
punishable under Section 395 of the Indian Penal Code.

3. As per the prosecution case, all the accused persons
assaulted the informant and his associate friend. Somehow,
informant's friend managed to fled away. Later on accused
persons left the informant by looting all his belongings.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case due to dirty village politics.
Petitioner has not named in the FIR. It is case of misuse of bail.
Petitioner has got clean antecedent as stated in para 3 of the
petition and is in custody since 09.09.2022.



5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Additional District and Sessions Judge-1st Barh, Patna dated 30.10.2023, it appears that it is case of misuse of bail of the petitioner. From perusal of the impugned order, it appears that the petitioner is absconding from trial since 21.07.2016 and no proper explanation for non-appearance has been filed before the trial Court.

7. Considering the facts and circumstances of the case, I am not inclined to grant bail to the petitioner.

8. Prayer for regular bail of the petitioner is hereby rejected.

9. Learned trial Court is directed to conclude the trial preferably within a period of six months from the date of receipt of a copy of this order and if the trial is not concluded within the stipulated period, the petitioner shall be at liberty to renew his prayer for bail before the trial Court and the trial Court shall grant bail to the petitioner.

(Ramesh Chand Malviya, J)

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