

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 37050 of 2024

Arising Out of PS. Case No.-65 Year-2014 Thana- KHAIRA District- Jamui

Sapan Manjhi @ Sapan Santhal @ Talo Tembram Son of Manjhala @
Manjhla Hembram R/o village- Chilkhar, P.S.-Sono (Charkapathar), Dist.-
Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

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

ORAL ORDER

2 21-05-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in a case registered
for the offence under Sections 147, 148, 149, 427 and 120(B) of
the Indian Penal Code, Section 3/4 of the Explosive Substance
Act and Sections 16, 18 and 20 of the UAP Act.

3. As per allegation in the FIR, Naxallites
exploded the Middle School, Bujhayat and when the informant
along with other police officials arrived, they saw that southern
room of Utkramit Middle School was damaged and exploded 5
k.g. cylinder was laying there and upon enquiry, informant came
to know that co-accused Dinesh Pandey and Sidhu Kora who
was in number of 60 including the petitioner exploded the



cylinder and raise slogan *Lal Salam*.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner has falsely been implicated in this case and similarly situated co-accused has been granted bail by a Co-ordinate Bench of this Court passed in Cr. Misc. Nos.26541 of 2015 and 34560 of 2015 as stated in para-15 of the petition. Petitioner is in custody since 11.11.2022.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail *after framing of the charge* in connection with Khaira P.S. Case No. 65 of 2014 (Sessions Trial No. 582 of 2023) on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ADJ-II, Jamui.

7. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 (fifteen) days from the date of receipt of a copy of this order. However, it is made clear that *if the charge-sheet has not been submitted* then the above named petitioner shall be released on bail on furnishing bail bond with further condition



that the petitioner has to present physically on each and every
date before the Trial Court till conclusion of the trial.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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