

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34661 of 2024

Arising Out of PS. Case No.-51 Year-2001 Thana- WAJIRGANJ District- Gaya

1. Suresh Manjhi Son of Late Churaman Manjhi Resident of Village -Sarshu, P.S.- Wazirganj, District - Gaya, Bihar
2. Janki Manjhi Son of Late Bachhu Manjhi Resident of Village -Sarshu, P.S.- Wazirganj, District - Gaya, Bihar

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailesh Kumar, Adv.

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 15-05-2024 Heard learned counsel for the petitioners and learned A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Wazirganj P.S. Case No. 51 of 2001 (Sessions Trial No. 7 of 2024/180 of 2024) dated 09.06.2001 registered for the offences punishable u/ss 147, 148, 149, 324, 307, 333, 353 of the Indian Penal Code and Section 25(1-b)a, 26, 27 and 35 of the Arms Act and Section 17 of the C.L.A. Act.

3. As per the prosecution case, on seeing police, some miscreants armed with weapons tried to flee away by resorting fire. In the process, two persons were apprehended who



disclosed their names as Naga Paswan @ Shrikant Jee @ Gudarjee and Rajendra Mahto @ Sidheshwar Mahto and from them arms and ammunitions were recovered. They also disclosed the name of miscreants who fled away as Surendra Manjhi, Arjun Manjhi, Disnesh Manjhi, Chandar Rajbanshi and Prabhu Rajbanshi.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. There is general and omnibus allegation against the petitioners. The petitioners are not named in the F.I.R. Learned counsel has further submitted that the petitioners were not present at the place of occurrence which is evident that the apprehended extremists did not disclose the name of the petitioners. No incriminating material has been recovered from the conscious possession of the petitioners. The co-accused persons have already been granted bail by the Co-ordinate Bench of this court vide order dated 08.10.2009 passed in Cr. Misc. No. 22362 of 2009. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 16.01.2024.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioners.



6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Gaya in connection with Wazirganj P.S. Case No. 51 of 2001 (Session Trial No. 7 of 2024/ 180 of 2024) with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the prosecution will be at liberty to move for cancellation of his bail bond.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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