

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5706 of 2019

Arising Out of PS. Case No.-292 Year-2016 Thana- JHAJHA District- Banka

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Ramesh Tuddu, aged about 30 years, Male, Son of Late Jaldhar Tuddu
Resident of Village - Jhagraha, P.S.- Chanan, District-Banka.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Mr.Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-02-2019 Heard learned counsels for the petitioner and the

State.

The petitioner is languishing in custody since 18.09.2018 in a case registered for the offences punishable under Sections 121, 121A and 120B of the IPC, Sections 25(1-B)a,26 and 35 of the Arms Act, Sections 3/4 of the Explosive Substances Act and Sections 16, 17, 18, 19, 20, 21 and 22 of Unlawful Activities (Prevention) Act.

The prosecution case, as per the written report of Chandeshwar Paswan, S.H.O., Jhajha Police Station dated 21.12.2016 submitted to the learned CJM, Jamui, is to the effect



that the police got an information about the gathering of some Maoists, whereupon a raid was laid and on seeing the police party, the gathered persons started fleeing away and on chase being made the police apprehended co-accused, Tripurari Yadav, Suloda @ Surendra Yadav and Karu Marandi and from their possession, arms and ammunition were recovered. The name of the petitioner sprang up on the confession of apprehended co-accused.

It is submitted by learned counsel for the petitioner that there is no recovery from the possession of the petitioner. Name of the petitioner sprang up on the confession of apprehended co-accused persons. It is further submitted that apprehended co-accused, namely, Karu Marandi, Tripurari Yadav, Pachu Pujhar and Prahlad Modi have been granted bail by different Benches of this Court, vide Cr. Misc. Nos. 7675 of 2018, 15803 of 2017, 65475 of 2018 and 54210 of 2017. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the name of the petitioner sprang up on the confession of apprehended co-accused persons.

Considering the fact that name of the petitioner sprang up on the confession of apprehended co-accused persons, no



recovery has been made from the petitioner and period under custody, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned SDJM, Jamui in connection with Jhajha P.S. Case No. 292 of 2016.

(Dinesh Kumar Singh, J)

Amrendra/-

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