

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47026 of 2018

Arising Out of PS. Case No.-187 Year-2017 Thana- LAXMIPUR District- Jamui

Pragan Marandi, Son of Lamyu Marandi, Resident of Village - Adhbariya,
P.S.Laxmipur, District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar

For the Opposite Party/s : Mr.Md. Anzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

6 04-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in since custody
06.09.2017 in a case registered for the offences punishable
under Sections 120B, 121A, 122 of the Indian Penal Code,
Sections 3/4 of Explosive Substances Act and Section 16, 18, 20,
21 & 22 of Unlawful Activities (Prevention) Act.

The prosecution case as per the written report of
Subhash Kumar Singh, Station House Officer of Laxmipur P.S.,
Chormara camp dated 05.09.2017 submitted to the Chief
Judicial Magistrate, Jamui is to the effect that on 05.09.2017 a
raid was laid on the information that some naxals assembled for
the purpose of committing an offence. During patrolling, some
persons tried to escape but on chase two persons namely,



Ramswaroop Yadav and Pragan Marandi, the petitioner were apprehended. It is further alleged that from the possession of the petitioner, five litres of ken bomb, one electronic detonator and twenty meters wire were recovered whereas from the possession of co-accused Ramswaroop Yadav, five litres of ken bomb, one electronic detonator and twenty meters wire were recovered and subsequently, the seizure list was prepared.

The petitioner's bail application was earlier rejected, on the basis of nature of accusation against him vide order dated 22.02.2018 passed in Cr. Misc. No. 10550 of 2018. It appears that the bail application of co-accused Ramswaroop Yadav was considered by a co-ordinate Bench of this Court and the co-accused Ramswaroop Yadav has been granted bail vide order dated 12.04.2018 passed in Cr. Misc. No. 13193 of 2018 on the ground of delay in lodging of the FIR, there was interpolation in the FIR and the said accused has no criminal antecedent.

Learned APP submits that the recovery has been made from the possession of the petitioner.

Considering the fact that the case of Ramswaroop Yadav and the case of the petitioner is on the same footing and same recovery has been made from both the accused persons coupled with the fact that this petitioner has also no criminal



antecedent, this Court finds no reason to take a different view and accordingly, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate 3rd, Jamui in connection with Laxmipur P.S. Case No. 187 of 2017.

The learned Court below will be at liberty to cancel the bail bonds of the petitioner in two eventualities; if the petitioner defaults for two consecutive occasions or gets involved in similar nature of offence.

(Dinesh Kumar Singh, J)

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