

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43699 of 2019

Arising Out of PS. Case No.-57 Year-2013 Thana- DUMARIYA District- Gaya

SHIV SHANKAR RAJAK @ SHIV SHANKAR DHOBİ @ TEYAGI JEE @
BABA @ CHANDESHWAR RAJAK @ TEYAGI, aged about 65 years
(Male), Son of Karmu Rajak, Resident of Village- Pachariya, P.S.- Rafiganj,
Distt.- Aurangabad (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sanjay Kumar Sharma, Advocate.
For the Opposite Party : Mr.Chandra Sen Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

7 03-06-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offences under Sections 147, 148, 149, 353, 120(B) of the IPC,
27 of the Arms Act, ¾ of the Explosive Substances Act and 17
of C.L. A.Act.

The prosecution case, in short, is that the Deputy
Commissioner, C.R.P.F., gave a written application before the
Dumaria Police Stating alleging therein that in the night of



23.09.2013, he heard slogans of “Inquilab Zindabad” and “Police Murdabad” and heard IED blast and it is further alleged that Naxalites opened fire against the C.R.P.F. Camp from a distance of about 1000 Metres. It is further alleged that the informant came to know from the villagers that there were about 100 Extremists/Naxalites and the petitioner was one of them.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 06.06.2016. The petitioner has falsely been implicated in the present case. Charge sheet has been submitted in this case. There is no allegation of tampering with the witnesses alleged against the petitioner. General and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. The name of the petitioner has come in the present case on the basis of suspicion. There is no eye witness to the alleged occurrence. Other co-accused person has been granted bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 19716 of 2017 under order dated 12.05.2017 annexed as Annexure-2 to the present application.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the facts and circumstances of the case



and also the lockdown, the petitioner, above named, is directed to be released on bail on his personal bond to the satisfaction of learned S.D.J.M., Sherghati, Gaya in connection with Dumaria P.S. Case No. 57 of 2013 (Trial No. 1509 of 2017).

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of four weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

U.K./-

U		T	
---	--	---	--

