

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86450 of 2019

Arising Out of PS. Case No.-115 Year-2019 Thana- PIRI BAZAR District- Lakhisarai

1. DHARMENDRA KUMAR PANDIT @ DUKH MOHAN PANDIT Son of Late Jagarnath Pandit Resident of Village- Khirodhpur (Matadih Pahardpur), Ward No. 07, P.S.- Jamalpur, District- Munger, presently working as State President Rashtriya Adiwasi Sangharsh Morcha.
2. Ganesh Koda @ Ganesh Soren Son of Sita Ram Koda Resident of Village- Kashi Tola Kodasi, Budhauri Bankar, P.S.- Kajra, District- Lakhisarai, presently working as Rashtriya Mahasachiv, Rashtriya Adiwasi Sangharsh Morcha.
3. Ranjeet Koda @ Ranjeet Kumar Koda Son of Masudan Koda Resident of Village- Sheetla Kodasi, P.S.- Kajra, Budhauri Bankar, District- Lakhisarai, presently working as Rashtriya Sachiv, Rashtriya Adiwasi Sangharsh Morcha.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Md. Irshad
For the Opposite Party/s	:	Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-01-2020 Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners apprehend their arrest in connection with Piribazar P.S. Case No. 115 of 2019 for the offence punishable under Section 147, 148, 149, 341, 307, 353, 120B of the Indian Penal Code, Sections 25(1-B), 26, 27, 35 of the Arms Act and Sections 16/17/18/20 of UAP Act.

The allegation is regarding the special force i.e. Cobra force of the police having arrived at the place of occurrence and



firing is said to have taken place from both the sides and when the firing had stopped, the Cobra team had recovered huge amount of arms and ammunition and had also found huge amount of blood spread at the said place, however, one accused Manish Kumar was apprehended by the said team and he is stated to have named 74 naxalites as the criminals and some of them are stated to be the petitioners herein.

The learned counsel for the petitioners has submitted that the petitioners have been falsely implicated in the present case. As far as petitioners no. 1 and 3 are concerned, they are accused in one case, but they are on bail in the said case and as far as the petitioner no.2 is concerned, he is having a clean antecedent.

Having regard to the facts and circumstances of the case and considering the submissions made by the learned counsel for the petitioner coupled with the fact that the names of the petitioners have transpired on the disclosure made by the co-accused Manish Kumar as also considering the fact that the petitioner no.2 is having a clean antecedent while the petitioners no. 1 and 3 are said to be accused in one case, not of similar type, I deem fit and proper to admit the petitioners to the privilege of anticipatory bail.



Accordingly, in the event of arrest or surrender in the court below within a period of four weeks from today, the petitioners above named are directed to be released on anticipatory bail on furnishing bail- bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Lakhisarai, in connection with Piribazar P.S. Case No. 115 of 2019 , subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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