

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17439 of 2023

Arising Out of PS. Case No.-99 Year-2022 Thana- KAJRA District- Lakhisarai

SURENDRA RAM @ SURENDRA STALIN Son of Devendra Ram Resident
of village - Nandnama, P.S.- Ramgadh Chawk, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anshul, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-05-2023 Heard Mr. Anshul, learned counsel for the petitioner
and learned APP for the State.

The petitioner apprehends his arrest in connection with Kajra P.S. Case No. 99 of 2022 for the offence registered under sections 121, 121A, 120B of the Indian Penal Code, section 3/4 of the Explosive Act, sections 25(1-b)a and 26 of the Arms Act and sections 16,17, 18, 20, 22 and 23 of the U.A.P. Act lodged on 04.08.2022 by the informant, Santosh Kumar Sinha.

The prosecution case, in brief, is that on 04.08.2022 the informant reported that on the basis of information provided by the Superintendent of police that Manshyam Dasi @Sudesh @ Rahul, the member of East Bihar North- East Jharkhand Special Area Committed and the member of Maoist was living



at the house of Vikash Modi. The informant proceeded to conduct raid under the leadership of Commandant of S.S.B. The raiding team surrounded the house of Vikash Modi and entered in the room of Manshyam Das and Surendra Ram. Manshyam Das was present there and Vikash Modi identified him.

On interrogation, he disclosed to be residing there since last three years. Raushan Singh, the President of A.I.S.F., student wing of left parties helped him to get the house on rent and also provided forged Aadhar card. He also disclosed names of his other associates. On disclosure of Manshyam Das, five live cartridges, five detonator as also incriminating documents were recovered from Kabutri Kol mountain. Accordingly seizure list was prepared and F.I.R. lodged.

It has been contended by the learned Counsel for the petitioner that he is a member of the student wing of the left with the name and designation of All India Students Federation (A.I.S.F.) and that has resulted into his implication in the present case. He further has clean antecedent.

Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that his name has cropped up during the raid and arrest of Manshyam Das.

Having gone through the facts of the case, FIR



registered ultimately will have to face the trial, is young man of 25 years having no criminal antecedent, this Court is inclined to extend him privilege of anticipatory bail.

Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Lakhisarai in connection with Kajra P.S. Case No. 99 of 2022 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

With the aforesaid observations, the anticipatory bail application stands allowed.

(Rajiv Roy, J)

Jagdish/Neha/-

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