

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18619 of 2023

Arising Out of PS. Case No.-139 Year-2018 Thana- BARACHATTI District- Gaya

Lalu Bhokta @ Naresh Ganjhu Son Of Dhaneshwar Ganjhu R/O Village-
Kedimoh Joldiha, P.S.- Bashishtnagar Jori, District- Chatra (JHARKHAND)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 17-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks regular bail in connection with Barachatti P.S. Case No. 139 of 2018 registered for the offence punishable under Sections 147, 148, 149, 307, 384 and 386 of the Indian Penal Code and Sections 25(1-B) A/26/27 of Arms Act and Section 3/4 of Explosive and Substance Act and Sections 16/18/20/22 U.A.P. Act.

As per the FIR, during combing operation there was firing from the side of extremist and cross firing from the side of police personnel and during the said operation some co-accused persons were arrested and they disclosed the name of the members of their group including the petitioner stating that they



are active member of organization and were in possession of arms. There is recovery of large number of arms and ammunition from the place of occurrence and from apprehended co-accused persons.

Learned counsel for the petitioner submits that petitioner himself surrendered before the court below. He was not arrested at the place of occurrence and his name was disclosed by the co-accused. There is no specific allegation against the petitioner. It is submitted that the petitioner has one criminal antecedent in which he is on bail. Petitioner is in custody since 25.11.2022. Further submission of learned counsel for the petitioner is that some co-accused persons similarly situated have been granted bail by co-ordinate Benches of this Court vide order dated 17.07.2018 in Cr. Misc. No. 29537 of 2018, vide order dated 18.05.2018 in Cr. Misc. No. 27236 of 2018, vide order dated 28.08.2018 in Cr. Misc. No. 46851 of 2018, vide order dated 06.11.2018 in Cr. Misc. No. 65245 of 2018, vide order dated 30.07.2019 in Cr. Misc. No. 47195 of 2019, vide order dated 05.02.2020 in Cr. Misc. No. 7966 of 2020.

Learned APP appearing for the State has opposed the prayer for regular bail of the petitioner.



Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. -II Sherghati at Gaya in connection with Barachatti P.S. Case No.139 of 2018, subject to the following conditions:-

(i) One of the bailor shall be the close relative of the petitioner.

(ii) The petitioner shall remain present on each and every date fixed by the Court below.

(iii) In case of absence on two consecutive dates without sufficient reason or if the petitioner misuses the liberty or violates any of the condition imposed upon her, her bail bonds shall be liable to be cancelled by the Court concerned.

(Sunil Dutta Mishra, J)

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