

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15013 of 2022

Arising Out of PS. Case No.-371 Year-2019 Thana- JHAJHA District- Jamui

ANUSH HEMBRAM S/o Chatur Hembram R/o village- Tola Pahad Buvajor,
P.S.- Chakai, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay, Advocate
For the Opposite Party/s : Mr.Vinod Shanker Modi, A.P.P.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 23-01-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in
connection with Jhajha P.S. Case No. 371 of 2019
registered for the offences punishable under
Sections 147, 148, 149, 121, 121A, 122, 384, 386
and 120B of the Indian Penal Code and Sections
25(1-b)a, 26 and 35 of the Arms Act, Sections 4 &
5 of the Explosive Substance Act and Sections 16,
17, 18, 19, 20, 21 and 22 of the U.A.P. Act.

The case of the prosecution, in brief, is
that on 16.12.2019 at about 9:30 A.M. the
informant received secret information that 20-25
Naxalites were planning to commit some crime at



the under construction school, whereupon a team was constituted and the police force had reached Artha village, where they saw a group of Naxalites and upon seeing the police, the said Naxalites started firing on the police party, however, most of them managed to flee away but seven of them including the petitioner were caught. As far as the petitioner is concerned, upon search one gelatin and some detonators were recovered.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, is having a clean antecedent and he is languishing in custody since 07.12.2019. The learned counsel for the petitioner has further submitted that though the petitioner is an accused in one another case but he is on bail in the said case. Lastly, the learned counsel for the petitioner has submitted that a sympathetic view be taken considering the period of incarceration of the petitioner herein who is languishing in custody since about three years.

Per contra, the learned counsel for the



State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the period of incarceration of the petitioner herein, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the petitioner, above named, is directed to 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 learned Chief Judicial Magistrate, Jamui in connection with Jhajha P.S. Case No. 371 of 2019.

(Mohit Kumar Shah, J)

S.Sb/Saurav

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

