

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52373 of 2023

Arising Out of PS. Case No.-33 Year-2013 Thana- CHANAN District- Lakhisarai

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LOCHAN MANJHI S/O TILSHWAR MANJHI RESIDENT OF
VILLAGE- BASKUND KURAW, PS- CHANAN ,DIST- LAKHISARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyam Sunder Pandey, Adv.

For the Opposite Party/s : Mrs. Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-08-2023 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner, who is in custody since 01.03.2023 seeks
bail, in connection with Chanan P.S. Case No.33/2013, dated
14.06.2013, for the offences punishable under Sections 147,
148, 149, 302, 307, 427, 120 of the IPC, Section 27 of the Arms
Act, Section 3/4 Explosive Substance Act, Sections 150, 151, 152
of Railway Act & Sections 16(18A), 20 R.A.P. 1967.

3. According to prosecution case, extremists, more
than 100 in number, stopped a train and opened indiscriminate
firing upon the train killing police personnel and a passenger
and looted three automatic rifles and 290 cartridges.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. He



further submits that the petitioner is not named in the F.I.R. The name of the petitioner has been transpired during investigation on the basis of confessional statement of the co-accused namely Kare Lal Kora @ Pyarelal Kora and except the confessional statement of the co-accused, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. The petitioner is presented himself as Vikash Mitra in Block-Bhalui, P.S. Chanan, District-Lakhisarai and he has no concern at all with the alleged occurrence. He further submits that co-accused, namely, Kare Lal Kora @ Pyarelal Kora, who has disclosed the name of the petitioner, co-accused persons, namely, Sanjay Sharma, Adhik Yadav have been granted bail by a co-ordinate Bench of this Court vide order dated 25.06.2015 passed in Cr. Misc. No.10900/2015, other co-accused namely Bhatan @ Bhaan Kora has been granted bail vide order dated 05.09.2022 passed in Cr. Misc. No.65807/2021, other co-accused namely Binod Paswan has been granted bail vide order dated 09.04.2019 passed in Cr. Misc. No. 65506/2018, other co-accused namely Dhanraj Kora @ Fulo Kora has been granted bail vide order dated 31.01.2020 passed in Cr. Misc. No.75833/2019 and other co-accused namely Fantush Yadav has been granted bail vide order dated



22.01.2021 passed in Cr. Misc. No.21841/2020. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 01.03.2023.

5. Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner has carried one criminal antecedent other than the present one but fairly submits on the basis of para-3 of the bail petition that the petitioner is on bail in aforesaid case.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned A.C.J.M.-1, Lakhisarai in connection with Chanan P.S. Case No.33/2013, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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