

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35388 of 2024

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

Ranjeet Thakur @ Rajeet Kumar S/O Late Jaya Thakur @ Jainarayan Thakur
R/O Village- Banskund Sangrampur, P.S- Chanan, Distt.- Lakhisarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 12-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Chanan P.S. Case No. 33 of 2013, registered on 14.06.2013 for the offences under Sections 147, 148, 149, 302, 307, 427 and 120(B) of the Indian Penal Code, Section 27 of the Arms Act, Section 3/4 of the Explosive Substance Act, Sections 150, 151 and 152 of the Railway Act and Sections 16, 18 and 20 of the U.A.P Act, 1967.

3. As per 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. The learned counsel for the petitioner submits



that the petitioner is not named in the FIR and his name came up in confessional statement of co-accused in this case. No independent witness has named this petitioner. Except for statement of police official recorded under Section 161 of Cr.P.C, there is no material available against this petitioner in the entire case diary. Similarly situated co-accused persons have been granted anticipatory bail/ regular bail. Gopal Yadav has been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 06.04.2018 passed in Cr. Misc. No. 12462 of 2018, Dhanraj Kora has been granted bail by a Co-ordinate Bench of this Court vide order dated 31.01.2020 passed in Cr. Misc. No. 75833 of 2019 and Bhatan @ Bhatan Kora @ Bhagtan Kora has been granted bail by this Court vide order dated 05.09.2022 passed in Cr. Misc. No. 65807 of 2021. Other co-accused Mantu Kora has also been granted bail by a Co-ordinate Bench of this Court vide order dated 22.06.2021 passed in Cr. Misc. No. 5243 of 2021 and the case of this petitioner is on better footing since the said co-accused Mantu Kora has five criminal antecedents. Nothing incriminating has been recovered from this petitioner. The petitioner is in custody since 31.10.2022 and the charge-sheet has been submitted in this case.

5. Learned APP opposes the prayer for bail



submitting that the petitioner and other co-accused persons, who were part of the extremists group, attacked the police party and killed the police personnel and a passenger and looted their rifles. They exploded bombs and made indiscriminate firing in endangering the life of large number of common public. Learned APP further submits that in such cases, it is not possible to have independent witnesses to join the investigation and name the criminals like this petitioner. So the police officials are the natural witnesses of the occurrence.

6. Having regard to the submissions made hereinabove and considering the fact that the petitioner was named by co-accused and allegations are mostly non-specific and further considering the fact that no recovery has been made from this petitioner or at his instance, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Kiul (Lakhisarai), in connection with Chanan P.S. Case No. 33 of 2013, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

(i) One of the bailors will be a close



relative of the petitioner.

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

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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