

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38085 of 2023

Arising Out of PS. Case No.-210 Year-2018 Thana- KHAIRA District- Jamui

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Hira Lal Murmu Son Of Laxman Murmu Resident Of Village- Salaiya, Ps-
Chandramandih, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay

For the Opposite Party/s : Mr.Tapeshwar Sharma

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

6 15-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Khaira P.S. Case No. 210 of 2018, dated 02.06.2018, for the offences punishable under Sections 148, 148, 149, 458, 341, 323, 324, 302, 506/120(B) of the Indian Penal Code.

3. As per the prosecution case, on 01.06.2018, the petitioner and the co-accused persons along with 25-30 unknown naxalites armed with deadly weapons like A.K. 47 came to the village, Khalari and entered the house of Ritlal Yadav and took him, his son and grandson away and assaulted



them. The co-accused persons namely Situ Koda, Pintu Rana, Darogi Yadav and Arvind Yadav fired on Ritlal Yadav which hit his head, back and armpit due to which he died on the spot. There were women in the naxalites team under the guidance of Karuna Di. The petitioner and the co-accused persons along with 20-30 unknown miscreants were also the member of the naxalites group.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The specific allegation of firing is on the co-accused persons. There is general and omnibus allegation against the petitioner. The petitioner has two criminal antecedents mentioned in Para 3 of the bail application in which he is on bail. No independent witnesses has supported the prosecution case.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs.



20,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Jamui in connection with Khaira P.S. Case No. 210 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further condition:

(i) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. This application stands allowed.

(Chandra Prakash Singh, J)

Ranjeet/-

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