

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68424 of 2024

Arising Out of PS. Case No.-19 Year-2020 Thana- LAUKARIA District- West Champaran

Kailash Thakur Son of Raman Thakur Resident of Ward No 7, Purnahiya,
P.S.- Purnahiya, District- Sheohar

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Prasad Singh, Advocate

For the Opposite Party/s : Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 04-10-2024 Heard Mr. Sunil Prasad Singh, learned counsel for
the petitioner and Md. Matloob Rab, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
06.06.2024, in connection with Laukariya P.S. Case No. 19 of
2020, FIR dated 17.03.2020 for the offences punishable under
Sections 12, 13(a)(b) of the U.A.P. Act.

3. The prosecution case in short is that some
posters has been pasted by Maoist near Semra Chusukpur More.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and he has falsely been implicated in
the present case. He further submits that the allegation as
alleged in the FIR is false and fabricated and the petitioner has
not committed any offence as alleged in the FIR. He further
submits that the as per the FIR the petitioner has pasted some



posters with respect to Maoist near Semra Chusukpur More. He further submits that nothing has been recovered from the conscious possession of the petitioner and the petitioner has been made accused only on the basis of the suspicion. He further submits that the other accused person, namely, Dhananjay Sharma has been granted bail by a co-ordinate Bench of this Court vide order dated 02.11.2020 passed in Cr. Misc. No. 27902 of 2020, co-accused person, namely, Raju Gupta has also been granted bail by a co-ordinate Bench of this Court vide order dated 20.04.2023 passed in Cr. Misc. No. 10970 of 2023 and co-accused person, namely Parshuram Giri @ Purshottam Kumar Giri has also been granted bail by this Court vide order dated 22.09.2022 passed in Cr. Misc. No. 34231 of 2022. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 06.06.2024.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries three more cases of similar nature other than the present one but fairly submits on the basis of the supplementary affidavit that the petitioner has been



acquitted in all the three cases from the learned Court below.

6. Considering the aforesaid facts, let the, above named, petitioner 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 A.C.J.M. 3rd, Bagaha in connection with Laukariya P.S. Case No. 19 of 2020 with the following conditions:-

(i) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(ii) 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.

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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