

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83607 of 2024

Arising Out of PS. Case No.-31 Year-2018 Thana- KAJRA District- Lakhisarai

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Sonam Marandi @ Talo Dee @ Budhni @ Palo Dee wife of Rakesh
Hembram Resident of Village - Gordhoba, P.S. - Chanan, District - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 13-12-2024 Heard the learned counsel for the petitioner and the
learned APP for the State.

2. The present petition has been filed for grant of regular
bail in connection with Kajra P.S. Case No.31 of 2018,
registered for the offences punishable under Sections 147, 148,
149, 353 and 307 of the Indian Penal Code and Section 27 of the
Arms Act and Sections 16, 17, 18, 20 and 23 of the U.A.P. Act.

3. Informant, who is Sub-Inspector of police received a
secret information that 70 persons who belong to Naxal groups
and 11 persons who support them in the Naxal activities had
assembled at one place and were firing and raising slogan
against police. Thereafter, the informant along with other police



personnel had reached the place of occurrence but the accused persons started firing upon them and had then fled away in the dense forest.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and he is languishing in custody since 05.08.2024. The learned counsel for the petitioner has further submitted that the petitioner is an accused in five other cases but he is on bail in two of them, however, the fact remains that he has been made an accused in the present case on account of his bad criminal antecedent. The learned counsel for the petitioner has also submitted that the petitioner has been implicated in the present merely on suspicion and neither any arms nor any incriminating articles have been recovered from his possession. It is next submitted that similarly situated co-accused persons have already been granted bail by this Court as also by co-ordinate Benches of this Court, vide orders dated 17.08.2019, 06.05.2019, 27.02.2020 and 19.07.2024, passed in Cr.Misc. No.34152 of 2019, Cr.Misc. No.18531 of 2019, Cr.Misc. No.1114 of 2020 and Cr.Misc. No.46124 of 2024, respectively, hence the petitioner be also granted the privilege of bail.

5. *Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.



6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into consideration the parity of the case of the petitioner with that of the co-accused persons, who have already been granted the privilege of bail, I deem it fit and proper to admit the petitioner to the privilege of regular bail.

7. Accordingly, the petitioner named above is directed to be released on bail upon furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Lakhisarai, in connection with Kajra P.S. Case No.31 of 2018, subject to the following conditions:

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial, shall be properly represented on each and every date fixed by the court as also shall remain physically present as directed by the Court and his absence on two consecutive dates shall lead to cancellation of his bail bonds by the court below, whereupon he shall be taken into custody forthwith.

(3) If the petitioner tampers with the evidence or the



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

(Mohit Kumar Shah, J)

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