

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45819 of 2025

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

Rajesh Santhal @ Rajesh Marandi @ Krishna Hansda, Male, aged about 20 years, Son of Budhan Santhal @ Budhan Marandi, Resident of Village- Ghoghi Kodasi Madhuri, P.S.- Piri Bazar, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

3 03-09-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Kajra P.S. Case No. 31 of 2018 instituted for the offences punishable under Sections 147, 148, 149, 353, 307 of the Indian Penal Code, Section 27 of the Arms Act and Section 16, 17, 18, 20 and 23 of the UAP Act.

3. As per the prosecution case, Naxals and Maoist had opened fire on the police force and in retaliation the police force also open fire on them and several police force injured but on search nothing any incriminating article has been recovered from them.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has



falsely been implicated in this case. He submits that petitioner has been made accused in the instant case along with several persons in connection with extremist activities and member of the mob. Petitioner is in custody since 10.12.2024.

5. Learned APP for the State opposes the prayer for bail.

6. From perusal of the FIR and impugned order of the learned District and Additional Sessions Judge-I-cum-Special Judge, SC/ST Act, Lakhisarai dated 16.05.2025, it appears that petitioner has been made accused in the instant case along with several persons in connection with extremist activities. From perusal of the records, it also appears that several Naxals and Maoist were assembled to do heinous crime and the petitioner is only the member of mob. Similarly situated co-accused persons namely Ram Saran Yadav @ Ram Saran Ravi, Mukesh Yadav and Sonam Marandi @ Talo Dee @ Budhni @ Palo Dee have been granted regular bail by a Co-ordinate Benches of this Court in Cr. Misc. Nos. 1606 of 2019, 13533 of 2019 and 83607 of 2024 vide orders dated 06.02.2019, 06.03.2019 and 13.12.2024, respectively, so considering all these aspects of the case, I am inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner is



allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, 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 and shall be properly represented on each and every dated fixed by the Trial Court and shall remain physically present as directed by the Trial Court till conclusion of the Trial and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the Trial Court.

(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.

(Ramesh Chand Malviya, J)

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