

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48014 of 2025

Arising Out of PS. Case No.-31 Year-2014 Thana- ROSHANGANJ District- Gaya

Pariksha Ji @ Pariksha @ Parikha Mandal @ Pariksha Bhuiyan @ Parikha Bhuiyan, aged about 55 years, Male, Son of Nathun Bhuiyan @ Nathun Mandal, Resident of Village- Jhikatiya Kala Barha, P.S.- Dumariya, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

3 08-10-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Roshanganj (Banke Bazar) P.S. Case No. 31 of 2014 instituted for the offences punishable under Sections 147, 148, 149, 120(B), 121(A), 122, 124(A), 307, 353 of the Indian Penal Code, Sections 3/4/5 of the Explosive Substance Act, Sections 13/16/18/20 of the U.P.A. Act and Section 17 of the C.L.A. Act.

3. As per the prosecution case, on 02.04.2014, after getting secret information in regard to assembly of Naxalite near Delho, a raid was conducted by the informant along with 20 police personnel where petitioner along with other FIR named accused as well as 25-30 unknown miscreants stated to flee after seeing police party and after search one cane bomb was



recovered.

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 merely on the basis of mere suspicion. He submits that nothing incriminating articles has been recovered either from the conscious possession of the petitioner or from his house. He further submits that the petitioner has been made accused due to dirty village politics. He next submits that petitioner has been falsely implicated in this case without any direct evidence. He lastly submits that petitioner has no concerned with any Naxal Organization. Petitioner is in custody since 08.04.2025.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, case diary and the impugned order of the learned District and Additional Sessions Judge-1st, Sherghati, Gaya dated 02.06.2025, it appears that on the basis of written report of the informant namely Madhusudhan Kumar, Sub-Inspector of Police, Banke Bazar, Gaya FIR has been registered under Sections 147, 148, 149, 120(B), 121(A), 122, 124(A), 307, 353 of the Indian Penal Code, Sections 3/4/5 of the Explosive Substance Act, Section 13/16/18/20 of the U.P.A. Act and Section 17 of the C.L.A. Act



against the petitioner along with other FIR named accused as well as 25-30 unknown miscreants. The allegation against the petitioner is that he was an active member of Moist and he along with other naxalities were trying to ambush security forces. Similarly situated co-accused persons namely Rakesh Kumar @ Rakesh Thakur, Hari Bansh Thakur and Ashok Kumar Thakur @ Ashok Thakur have been granted bail by a Co-ordinate Bench of this Court in Cr. Misc. Nos. 22515 of 2025, 20427 of 2025 and 19893 of 2025 vide order dated 28.05.2025 respectively, so considering all these aspects of the case and submissions of learned counsel for the petitioner, 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 Judicial Magistrate-1st, Class Sherghati, Gaya in connection with Roshanganj (Banke Bazar) P.S. Case No. 31 of 2014, subject to the conditions:-

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in



Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail and if the prosecution is found involvement of the petitioner in similar nature of offence, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) 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.

(Ramesh Chand Malviya, J)

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