

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26953 of 2026

Arising Out of PS. Case No.-79 Year-2021 Thana- KAJRA District- Lakhisarai

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Suraj Murmu @ Suraj Hansda @ Suraj Hansdah S/O Barku Murmu R/o Vill.-
Rarodih, P.S.- Kharagpur, District- Munger, and also at Village Gordhu
Hathiya, P.S.- Haveli Kharagpur, District- Munger

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravish Mishra, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-04-2026 Heard Mr. Ravish Mishra, learned counsel for the

petitioner as well as Mr. Rajendra Singh, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
30.01.2025 in connection with Kajra P.S. Case No. 79/2021,
F.I.R. dated 26.08.2021 for the offences punishable under
Sections 147, 148, 149, 341, 323, 307, 427, 436, 385, 387 and
120B of the Indian Penal Code and Sections 16, 17, 18 and 20
of the U.A.P. Act.

3. According to prosecution case, all the accused
persons including the petitioner who are the members of
naxalite group with conspiracy assaulted the labourer with
intention to terrorize them and also threatened them to pay Rs.



10 lakhs as levy.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. From a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt act attributed against against the petitioner rather there is general and omnibus allegation against the petitioner. Till date no TIP has been conducted by the prosecution. The co-accused person, namely, Pappu Kumar has been granted regular bail by this Hon'ble Court vide order dated 11.07.2023 passed in Cr. Misc. No. 9778/2023. He further submits that similarly situated co-accused, namely, Kailu Kora @ Kailash Kora has been granted bail by a co-ordinate Bench of this Hon'ble Court vide order dated 06.01.2023 passed in Cr. Misc. No. 20273/2022. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 30.01.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries four criminal antecedents other



than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in all the cases.

6. Considering the aforesaid facts and circumstances, there is no specific allegation of any assault or overt act attributed against against the petitioner rather there is general and omnibus allegation against the petitioner and the co-accused persons have been granted bail by a co-ordinate Bench of this Hon'ble Court and by this Court, let the petitioner, above named, 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 the learned C.J.M, Lakhisarai in connection with Kajra P.S. Case No. 79/2021, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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.



iii. 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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