

IN THE HIGH COURT OF JHARKHAND AT RANCHI.

B.A. No. 7586 of 2016

1. Susharam Lomga @ Susharan Tomga
2. Rajesh Munda
3. Kulan Dang
4. Johnson Lugun

Petitioners.

Versus

State of Jharkhand

Opp. Party

CORAM: THE HON'BLE MR. JUSTICE RAVI NATH VERMA

For the Petitioner : Mr. Anjani Kumar
For the Opp. Party : Addl. P P .

04/29.09.2016. The four petitioners, namely, Susharam Lomga @ Susharan Tomga, Rajesh Munda, Kulan Dang and Johnson Lugun have moved this Court for grant of regular bail in connection with S.T. no. 153/2013 arising out of Jaraikela P.S. case no. 06/2011, instituted under sections 121,121(A), 122,386,387,120(B)/34 of the Indian Penal Code and section 3/4 of the Explosive Substance Act.

The prosecution case, as it appears from the FIR is that the petitioners were apprehended on 31.07.2011 along with the other co-accused persons and they admitted that they belong to extremists group and on the confessional statement of said co-accused persons explosive substance, detonators and cartridges walki-talki, mobile, SIM etc were recovered.

Learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in this case on mere suspicion. It was submitted that earlier petitioners had moved this court for grant of regular bail by filing B.A. Nos. 3726 of 2012, 883 of 2013, 5344 of 2014 and 3934 of 2014, which were rejected vide order dated 17.05.2012, 12.03.2013 and 08.08.2014 respectively. It was also submitted that similarly situated co-accused namely, Budhu Soy, Jendo Munda and Mangra Nag have been granted bail vide order dated 02.01.2013 and 13.09.2012 in B.A.No. 7140/2012 and 6080/2012 respectively. It was also submitted that charges have been framed and the case is committed to the court of Session and the petitioners are languishing in jail custody since 12.08.2011.

Learned Addl. P.P representing the State opposed the prayer relying upon the order impugned order.

Considering the submissions of the counsels and the period of detention of the petitioners in jail custody, the court below is directed to enlarge the petitioners, above named, on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-II at Chaibasa in connection with S.T. no. 153/2013, arising out of Jaraikela P.S. case no. 06/2011, corresponding to G. R.No. 215/2011 with direction to the petitioners to be physically present ion court below on each and every date till conclusion of the trial and only in exceptional circumstances, if a petition is filed by any of the petitioners under section 317 Cr.P.C., the court shall consider his prayer on its own merit.

(R. N. Verma, J.)

Raman/