

Schedule XLII – High Court(J) 9a [Old(M) 164.]

**IN THE COURT OF ADDL. SESSIONS JUDGE-II,
WEST SINGHBHUM AT CHAIBASA
MISCELLANEOUS CRIMINAL APPLICATION NO. 1098 OF 2022
C.N.R.- JHCB01-003889-2022
S.T. No. 354 of 2022**

Serial No.	Date of order of proceeding	Order with the signature of the Court.	Office notice taken with date
1	2	3	4

	15-12-2022	Misc. Criminal Application No. 1098/2022, dated 12.12.2022 filed on behalf of accused/petitioner in custody namely, Sanjay Lohra @ Sanjay Soy, is moved in presence of learned A.P.P. for the state. It is submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case. Nothing incriminating article has been recovered from his person or possession. He is in judicial custody since 29.07.2020. He is ready to furnish suitable bail bonds. Thus, he may be enlarged on bail. On the other hand, learned Addl. P.P. has strongly opposed the prayer for bail.	
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	<u>Contd.....01</u> 15-12-2022	Heard and perused the case record along with case and other material available on the record, it appears that the informant is the owner-cum-driver of JCB vehicle bearing Registration No. BR-27G-7116 and was doing the work of installation of pipe of water supply pump under Water Department from Bakri to Karaikela since 01.01.2020. It is alleged that on 28.01.2020, when informant was doing the work at Village Hudgadha by his JCB vehicle and reached at 'Nala' of village Hudgadha, then at about 16.30 hours three person armed with deadly weapons came there by a motorcycle, stopped the work and started abusing and assaulting him. They have threatened the informant and snatched the key of JCB vehicle and told that from whose permission you are doing the work. They demanded levy of	

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	<u>Contd.....02</u> 15-12-2022	Rs. 5,00,000/- and threatened that till the delivery of levy, the work shall remain suspended and also aiming the informant, they shot on fire by a firearms upon the informant, but by chance the informant saved himself from the cartridge fired. Meanwhile, a red colour magic passenger vehicle came thereby and asked one of the miscreant, who was punching the wheel of JCB to remove the vehicle from the road. The miscreants have threatened him and said that they are the members of P.L.F.I. Organization and they worked for Zonal Member Ajay Purty and Akash Purty. The miscreants, who took the mobile of the informant disclosed his name as Kedar Bodra and name of two accompanied miscreants as Modi and Sanichar Surin. He also admits that Sanjay Lohra @ Sanjay Soy (petitioner) , Sanichar Surin and	

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	<u>Contd.....03</u> 15-12-2022	Modi used to deposit the collected levy amount to Supremo Ajay Purty. They also told that they will contact on phone for bringing levy money and they also threatened not to inform the police. The informant saw the motorcycle number as JH-05AX-6805 at the time of returning of the miscreants from the site by the motorcycle. It is a case under sections 341, 342, 323, 307, 385, 387, 504, 120-B of I.P.C., section 17 of C.L.A. Act. Although, petitioner is named in the F.I.R. but neither he was arrested from the spot nor any incriminating article was recovered from his person or possession. Even he was not subjected to T.I.P. in presence of informant. His name surfaced on the basis of confession of co-accused Kedar Bodra, who has been granted bail by the Hon'ble High Court vide	

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	<u>Contd.....04</u> 15-12-2022	order dated 24.09.2020 passed in B.A. No. 6491/2020. Petitioner is behind the bar since 29.07.2020. Taking into account the nature of allegation coupled with the period of custody of the petitioner since 29.07.2020 which is about more than two years five months, I feel inclined to enlarge the petitioner Sanjay Lohra @ Sanjay Soy on bail. Accordingly, his prayer for bail is hereby stands allowed and he is directed to release on bail on his furnishing of bail bonds of Rs. 10,000/- with two sureties of the like amount each. (Dictated) (Surya Bhushan Ojha) Addl. Sessions Judge-II	