

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48673 of 2014

Arising Out of PS.Case No. -33 Year- 2013 Thana -CHANAN District- LAKHISARAI

Birendra Kora

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.51504 of 2014

Arising Out of PS.Case No. -33 Year- 2013 Thana -CHANAN District- LAKHISARAI

Dinesh Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.48673 of 2014)

For the Petitioner/s : Mr. Jainendra Kumar

For the Opposite Party/s : Mrs. Sharda Kumari-(A.P.P.)

(In Cr.Misc. No.51504 of 2014)

For the Petitioner/s : Mr. Prakash Kumar

For the Opposite Party/s : Mr. Nawal Kishore Pd.-(A.P.P.)

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

04 06-04-2015 Cr. Misc. No.48673 of 2014 wherein Birendra Kora happens to be the petitioner while Cr. Misc. No.51504 of 2014 wherein Dinesh Yadav happens to be the petitioner commonly originate out of Chanan P. S. Case no.33 of 2013 and on account thereof, have been heard together and are being disposed of by a common order.

Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor.



Members of Banned Organization, Naxalwadi in order to destabilize the government at the cost of life of innocent person hurled bomb, made indiscriminate firing over Train No.13331-UP and during course thereof, one of the members of escort party, two passengers were killed while others also sustained injury including that of informant. They have also snatched away weapons from the possession of escort party. Looted away belongings from some of the passengers. Miscreants were shown more than hundred in number having variously armed.

Initially, the case was registered against unknown. Investigation proceeded and during course thereof, as is evident some sort of clue were traced out. Furthermore, Dog Squared was also requisitioned.

Now, coming to the specific case of the petitioners, it is evident that absolutely there happens to be no scope for petitioner Dinesh Yadav to justify his further detention.

On account thereof, petitioner **Dinesh Yadav** is directed to 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 Chief Judicial Magistrate, Lakhisarai in connection with Chanan P. S. Case no.33 of 2013.

So far petitioner Birendra Kora is concerned, apart

from Para-36, his inculpatory confessional statement in the background of nature of offences did not justify his prayer.

Consequent thereupon, prayer of petitioner **Birendra Kora** is rejected.

(Aditya Kumar Trivedi, J)

Vikash/-

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