

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8388 of 2016

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

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MANOJ KORA @ MANOJ KODA son of Sahdeo Kora, resident of
Village- Dhoghar Ghati, P.,S. Kajra, District- Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parmanand Pd. Nr. Sahi

For the Opposite Party/s : Mr. C.Sen Pd.Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

5 20-06-2016 Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences punishable under sections 147, 148, 149, 302, 307, 427 and 120 of the I.P.C, Section 27 of the Arms Act, Section 34 of the Explosive Substance Act, Sections 150, 151 and 152 of the Railway Act and Sections 16, 18 (B) and 20 of the Unlawful Activities (Prevention) Act, 1967.

Allegedly, about 100 miscreants being male and female attacked after stopping Train No. 13331 UP Dhanbad-Patna and opened firing resulting death of the passengers, constables and the Sub. Inspector while others sustained injury including the informant and further the miscreants snatched away the weapons from the escort party and looted away the belongings

from some of the passengers.

Submission is of false implication and that the petitioner is in custody since 05.10.2015, charge sheet has already been submitted, the petitioner has got no criminal antecedent but wrongly in the case diary criminal antecedent of the petitioner has been mentioned though he is not named in that case, there is nothing on the record to show that the petitioner after release will tamper with the prosecution evidence, he is not named in the FIR and only on the basis of the confessional statement he has been implicated in this case, further other co-accused have been allowed bail vide Cr. Misc. Nos. 10900 of 2015, 15496 of 2015, 15668 of 2015, 51504 of 2014 and Cr. Misc. Nos. 39578 of 2015 and 39717 of 2015.

The learned A.P.P. fairly submits that other co-accused have been allowed bail.

In the facts and circumstances as stated above, the petitioner is also 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 Sessions Judge, Likhisarai in Sessions Trial No. 13 of 2016 arising out of Chanan P.S. Case No. 33 of 2013, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable

property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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