

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5999 of 2019

Arising Out of PS. Case No.-41 Year-2017 Thana- BARHAT District- Jamui

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Kali Kora, aged about 60 years (male), S/o Chhathu Kora, R/o-Village-
Kumartari (Bichla Tola, Musahari Tarh), P.S.- Barhat, District-Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Prasad

For the Opposite Party/s : Mr. Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-02-2019 Heard learned counsels for the petitioner and the

State.

The petitioner is languishing in custody since 06.06.2018
in a case registered for the offences punishable under Sections
147, 148 and 302 of the IPC and Sections 16, 17, 18, 20, 21 and
22 of the Unlawful Activities (Prevention) Act.

The prosecution case, as per the written report of
Brahamdev Kora, dated 14.07.2017, submitted to the Station
House Officer, Barahat Police Station, is to the effect that on
13.07.2017 at about 8 A.M., the informant after purchasing
paddy sent his son, Shiv Kumar Kora to Village Kumartari and



at the noon, and after giving Rs. 15,000/- for agricultural purpose, sent his wife. It is alleged that on the next day, the informant heard rumor that the naxals have killed two sons and wife of the informant, thereafter, the informant reached near Kukurjhaph dam and found the dead body of his two sons.

It is submitted by learned counsel for the petitioner that only on the basis of suspicion, the accusation has been levelled against the petitioner. It appears surprisingly that whole night the informant did not try to search for his children and wife who were not present in the house. It is further submitted that there is no eye-witness to the occurrence and similarly situated co-accused, Gajo @ Pradeep Koda has been granted bail by a Bench of this Court, vide Cr. Misc. No. 61210 of 2018. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP that the petitioner is named in the FIR.

Considering the suspicious nature of accusation and the fact that investigation has already been concluded, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like



amount each to the satisfaction of learned Judicial Magistrate,
1st Class, Jamui in connection with Barhat P.S. Case No. 41 of
2017.

(Dinesh Kumar Singh, J)

Amrendra/-

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