

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34152 of 2019

Arising Out of PS. Case No.-31 Year-2018 Thana- KAJRA District- Lakhisarai

SUKHARI KODA @ RAJEEV KODA Son of Bahadur Koda Resident of
Village - Kane Moh, P.S.- Kajra, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar

For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 17-08-2019 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Kajra P.S. Case No. 31 of 2018, registered for the offence
punishable under Sections 147, 148, 149, 353, 307 of the
Indian Penal Code, Section 27 of the Arms Act and Sections
16, 17, 18, 20 and 23 of the U.A.P. Act.

Informant who is Sub-Inspector of police received a
secret information that 70 persons who belong to Naxal
groups and 11 persons who supported them in the Naxal
activity had assembled at one place and were firing and
raising slogan against police. Thereafter, he along with other
police party reached the place of occurrence but they fired
upon them and fled away in the dense forest.



It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case only on the basis of suspicion. Allegation against petitioner is of being sympathizer and informer of Naxalies. Similarly placed co-accused has been granted bail by co-ordinate bench of this court vide order dated 06.02.2019 passed in Cr. Misc. No. 1606 of 2019. It is submitted that the petitioner is having a clean antecedent and he is languishing in custody since 24.7.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Lakhisarai, in connection with Kajra P.S. Case No. 31 of 2018, subject to conditions:

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient



reasons, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will beat liberty to move for cancellation of bail of the petitioner.

(Mohit Kumar Shah, J)

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