

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18513 of 2021**

Arising Out of PS. Case No.-110 Year-2018 Thana- BARHAT District- Jamui

ANIL KORA SON OF BABULAL KORA R/O VILLAGE- KUMARTARI,
P.S.- BARAHAT, DISTRICT- JAMUI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prakash Mahto, Advocate

For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 22-10-2021 Heard learned counsels appearing for the parties.

The petitioner seeks bail in connection with Barahat P.S. Case No.110 of 2018, registered for the offence punishable under Sections 141, 148, 149, 302 of the IPC, section 27 of the Arms Act and sections 10, 12, 16, 18, 20, 21 of UAP Act.

The prosecution case in short is that about 50-60 miscreants in police uniform, taken away one Sikandra Yadav (S.S.B. constable) and began to assault him and fired shot to him saying that they were being disturbed by S.S.B. and local police, due to the said firing, Sikandra Yadav died on the spot and the miscreants fled away giving slogan of ***Lal Salam.***

Learned counsel for the petitioner submits that the petitioner is quite innocent and has not committed any offence as alleged in the FIR. He has been falsely implicated in this case



on mere suspicion. There is no specific allegation alleged upon the petitioner. Nobody has seen any part of the alleged occurrence and the FIR has been lodged against 34 named accused persons and 20-25 unknown persons. The FIR has been lodged against *Naxalite* but the petitioner has no concern with *Naxalite* or any criminal group. He has not been put on Test Identification Parade nor any incriminating article has been recovered from his conscious physical possession. The petitioner has one criminal antecedent and has been languishing in custody since 04.09.2020.

Learned APP for the State opposed the prayer for bail and submitted that petitioner is a member of the said *Naxalite* group and he is named in the FIR.

Considering the facts and circumstances of this case, I am not inclined to grant bail to the petitioner named above.

Accordingly, the prayer for bail of the petitioner made through the instant bail application is hereby rejected.

However, liberty is given to the petitioner to renew his prayer for bail after framing of charge.

(Anjani Kumar Sharan, J)

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