

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18311 of 2021**

Arising Out of PS. Case No.-119 Year-2019 Thana- CHANAN District- Lakhisarai

RANJEET KODA SON OF SITARAM KODA RESIDENT OF VILLAGE-
GHOGHARGHATI, P.S- KAJRA, DIST- LAKHISARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Irshad, Advocate

For the Opposite Party/s : Mr. APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

5 30-11-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks regular bail in connection with Chanan P.S. Case No.119 of 2019 registered for the offence under Sections 302/34 of the IPC, Section 27 of the Arms Act and Sections 17, 18, 20 and 23 of the U.A.P. Act.

As per prosecution case, on 19.08.2019 at 11.30 hours, the informant, his elder brother and some others were taking tea at the shop of Bhikhari Modi. Meanwhile, co-accused Rana Kumar Singh came there and after some time, six persons armed with weapons also came there. Co-accused Rana Kumar Singh fired on the informant's brother resulting death of his brother. Other accused persons fired upon Chhotu Sao which hit on his head and leg who also died on the spot. The accused



persons also fired upon the informant and others but they managed to escape from there.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case and the entire allegation levelled against the petitioner is false, fabricated and concocted. He further submits that from perusal of the FIR, it appears that the petitioner is not named in the FIR and nothing has been recovered from the possession of the petitioner. He further submits that there is no specific allegation against this petitioner and only general and omnibus allegation against him. He further submits that similarly situated co-accused, namely, (1) Sanjay Koda has been granted regular bail by a Bench of this Court passed in Cr. Misc. No. 19780 of 2021 vide order dated 15.11.2021, (2) co-accused namely, Binod Yadav @ Bino @ Bindu Yadav has been granted regular by a Co-ordinate Bench of this Court passed in Cr. Misc. No. 3080 of 2020 vide order dated 03.09.2020 and (3) co-accused Rana Kumar Singh @ Rana Singh has been granted regular bail by a Co-ordinate Bench of this Court passed in Cr. Misc. No. 22632 of 2020 vide order dated 21.12.2020. He further submits that the petitioner has four criminal antecedents and he is in custody since 13.11.2020.



However, learned APP for the State on the basis of the case diary vehemently opposed the prayer for regular bail.

In the facts and circumstances of the case, the above named petitioner 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 learned ACJM-I, Lakhisarai in connection with Chanan P.S. Case no. 119 of 2019 with following conditions:-

(i) 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 the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

(iii) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(iv) And further condition that the court below shall



verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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