

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6104 of 2021

Arising Out of PS. Case No.-141 Year-2019 Thana- PIRI BAZAR District- Lakhisarai

GAUTAM KODA SON OF JHUPPAR KODA RESIDENT OF VILLAGE-
TENGHARA, P.S.- LARAIA TAND, DISTRICT- MUNGER

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar, Adv.

For the Opposite Party/s : Mr.Rajeev Narayan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 31-05-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

The petitioner seeks bail in connection with Piri Bazar
P.S. Case No.141/2019 registered for the offence punishable
under Sections 302/201/120(B)/34 of the Indian Penal Code.

As per the prosecution case, husband of the informant
went outside for handling cattle and did not return. She
searched in her relative but got no clue and in the morning she
was informed that the headless dead body of her husband was
lying in the field. It is alleged that unknown people killed her
husband in conspiracy.

It is submitted by learned counsel for the petitioner that
petitioner is not named in the FIR and has been falsely
implicated in this case. The entire prosecution story is false and



no such occurrence took place. On the basis of confessional statement of petitioner and co-accused persons, petitioner has been made accused in the present case. The chargesheet has been submitted. It is submitted that similarly situated co-accused namely Mohan Mandal has been granted bail vide Cr.Misc No.1132/2021 dated 03.05.2021 by co-ordinate Bench of this Court. The petitioner has one criminal antecedent and has been languishing in custody since 31.01.2020.

Learned APP for the State opposed the bail petition and referring the case diary, submits that in the confession of the petitioner and other co-accused persons, they vividly described the manner in which the crime was committed and the petitioner along with other co-accused were members of Naxal group. Post-mortem report corroborates the manner in which the deceased was killed. Learned APP submits that the bail petition of one similarly situated co-accused namely Muneshwar Paswan @ Bhuneshwar Paswan has been rejected vide order dated 26.11.2020 in Cr.Misc. No.23756 of 2020.

Considering the facts aforesaid, I am not inclined to grant regular bail to the petitioner at this stage.

Accordingly, the prayer for bail of the petitioner is hereby rejected.



However, the petitioner may renew his prayer for bail
after one year if the trial does not show any progress.

(Anjani Kumar Sharan, J)

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