

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9354 of 2022

Arising Out of PS. Case No.-98 Year-2020 Thana- KAJRA District- Lakhisarai

Badal Kora @ Akhtar Ansari @ Badal, Son of Sahadat Ansari, Resident of
Village - Lupi, P.S. - Bengabad, District - Giridih (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binodanand Mishra, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 27-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Kajara P.S. Case No. 98 of 2020 registered for the alleged offences under Sections 121, 120(B)/34 of the Indian Penal Code, Sections 25(1-b)a/ 26 (I) (ii)/35 of the Arms Act, Section 3/ 4 of the Explosive Substance Act and Sections 16, 17, 18, 20 and 23 of the U.A.P. Act.

As per prosecution case, the police received secret information that some miscreants had assembled for committing some crime and a raid was conducted at the identified place and



co-accused Monu Kumar was apprehended after chase, whereas 50-60 persons escaped from there. A huge quantity of arms and ammunitions was recovered. The name of this petitioner was disclosed by co-accused Monu Kumar along with 36 other co-accused persons. It is further alleged that the culprits assembled there to cause disturbance in 2020 Vidhan Sabha Election.

The learned counsel for the petitioner submits that nothing has been recovered from this petitioner and he was not apprehended from the spot. Except for the confessional statement of co-accused, there is nothing against this petitioner who has been made accused only on the suspicion. Co-accused Monu Kumar has been granted bail by a Co-ordinate Bench of this Court vide order dated 21.09.2021 passed in Cr. Misc. No. 15915 of 2021 and another co-accused Bablu Saw has also been granted bail by a Co-ordinate Bench of this Court vide order dated 10.08.2021 passed in Cr. Misc. No. 28760 of 2021. The charge-sheet has been submitted and the petitioner is in custody since 18.11.2020.

Learned APP opposes the prayer for bail submitting that the petitioner is a member of group of Naxlites.

Having regard to the submissions made hereinabove and considering the fact of grant of bail to other similarly placed



co-accused persons and further considering the fact that the charge-sheet has been submitted and the petitioner is in custody since 18.11.2020, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Lakhisarai, in connection with Kajara P.S. Case No. 98 of 2020, subject to the following conditions :

(i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.

(ii) One of the bailors will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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