

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25650 of 2022

Arising Out of PS. Case No.-92 Year-2021 Thana- BARIYARPUR District- Munger

ASHOK KORA S/o Bishwanath Kora Resident of Village/ Muhalla- Raja Sarai, P.S.- Kharagpur, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjiv Kumar Singh

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

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 18-10-2022 Let the defect(s), as pointed out by the office, be removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in connection with Bariarpur P.S. Case No. 92 of 2021 registered for the offences punishable under Sections 121(A), 120(B) of the Indian Penal Code, Sections 25(1-b)a, 26(i), 35 of the Arms Act and Sections 18(B), 19, 20 of the U.A.P. Act.

As per prosecution case, the police got secret information that in the house of co-accused Nandan Mandal some miscreants have gathered and they are making plan to commit crime. Thereafter, police reached there and the apprehended co-accused Nandan Mandal told that petitioner and



others are the member of extremist organization.

Learned counsel for the petitioner submits that petitioner is in custody since 21.10.2021 and bears no criminal antecedent. He further submits that no incriminating article has been recovered from the conscious possession of the petitioner. There is violation of Section 100(4) (5) of the Cr.P.C. He further submits that co-accused Nandan Mandal against whom there is recovery has already been granted bail by the co-ordinate Bench of this court vide Cr. Misc. No.12950 of 2022 and the case of present petitioner stands on better footing. He further submits that having similar allegation, co-accused Dhaneswar Kora has already been granted bail by this court vide Cr. Misc. No. 40515 of 2022.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, similarly situated co-accused has been granted bail, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of learned Additional Chief
Judicial Magistrate-II, Munger in connection with Bariarpur P.S.
Case No. 92 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or
mother or sister or brother or wife or the person who has sworn
the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will
remain present on all dates and absence for two consecutive
dates without appropriate permission, would be a ground for
cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

shahzad/-

U		T	
---	--	---	--

