

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52571 of 2021**

Arising Out of PS. Case No.-201 Year-2020 Thana- KHARHAGPUR District- Munger

SUNIL KORA, Son of Ramdeo Kora Resident of Jatatari, P.S.- Kharagpur,
District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

5 17-05-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner seeks regular bail in connection with
Kharagpur P.S. Case No. 201 of 2020 for the offence punishable
under Sections 147, 148, 149, 120B, 121A, 124A and 307 of the
Indian Penal Code, Section 27 of the Arms Act and Sections 10,
13, 16, 20 and 21 of the U.A.P. Act.

The prosecution story, in brief, is that on 02.08.2020
at about 13:05 hours, the informant had received secret



information that naxalites had assembled at Harkund Forest for committing crime. After receiving information, the informant along with other police personnel proceeded to the place of occurrence and directed the naxalites to surrender, to which they reacted and resorted to indiscriminate firing upon the police party. It is alleged that police party, in defence, had also opened fired at them, but the accused persons including the petitioner managed to flee away.

Learned counsels appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. The petitioner has been roped in the present case merely on suspicion. Nothing incriminating has been recovered from the possession of the petitioner or from his house. Petitioner has clean antecedent and is in custody since 01.09.2020. Similarly situated co-accused namely Shiv Shankar Chouray, Jathu Kora and Pappy Yadav have already been granted bail vide order dated 04.04.2022 passed in Cr. Misc. Nos. 25506 of 2021, 43045 of 2021 and 56613 of 2021 by this Court

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioners.

Considering the aforementioned facts and



circumstances of the case, having perused the allegation made in the F.I.R., it appears that there is general and omnibus allegation against all the accused persons including the petitioner and he has been implicated in this case merely on suspicion, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-IV, Munger in connection with Kharagpur P.S. Case No. 201 of 2020, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

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

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(5) The court below is directed to verify the



criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically loose its force.

(Purnendu Singh, J)

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