

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58911 of 2021**

Arising Out of PS. Case No.-83 Year-2014 Thana- KHARHAGPUR District- Munger

DHARMENDRA KORA Son of Late Mahesh Kora Residence of Village -
Chaukiya, P.S.- Laxmipur, Distt.- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Kamal Nayan, Adv.

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 08-03-2022 Heard learned counsel for the petitioner and Mr.
Shyam Kumar Singh, learned A.P.P. for the State.

The petitioner seeks bail in connection with Gangta P.S. Case No. 83 of 2014 instituted for the offences under Sections 147, 148, 149, 121(A), 122, 124, 341, 307, 302 and 353 of the Indian Penal Code, Section 27 of the Arms Act, Section ¾ of the Explosive Substance Act, Section 134(B) of the R.P. Act and Section 16, 17, 18, 20, 23 and 35 of the U.A.P. Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 30.06.2021 is a person with clean antecedent, charge-sheet has been submitted in the case and the informant alleges that he along with three sections of CRPF proceeded towards Gangta in connection with ensuing



parliamentary election, thereafter they went to the booth at 4.26 a.m. when all of a sudden a land mine was exploded and the extremists started indiscriminating firing injury two constables who died on the way to the hospital and the extremists fled and while fleeing they were talking with each other and were giving direction and were also asking to flee away with the rifle of the injured CRPF men. It is further alleged that nine CRPF men got injured in the land mine blast further the extremists intended to disturb the election.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case as it does not stand to reason that how the informant came to know with such precession about the detailed of the accused persons. It is further submitted that though the case is of 2014 but since the petitioner was completely unaware of the pendency of the case, as such he could not surrender earlier. It is further submitted that similarly situated co-accused persons Anil Kora has been granted bail by order dated 11.06.2020 passed in Cr. Misc. No. 18431 of 2020 and Babu Paswan has been granted by order dated 19.02.2019 passed in Cr. Misc. No. 72238 of 2018. It is further submitted that some of the accused were even acquitted by the learned



Division Bench of this Court after full fledged trial. Learned counsel for the petitioner submits that maintaining parity the petitioner be granted the privilege of regular bail.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 30.06.2021, is a person with clean antecedent, charge-sheet has been submitted in the case, co-accused persons have been granted bail and taking into consideration the submission made by the learned counsel for the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Munger in connection with Gangta P.S. Case No. 83 of 2014, subject to condition that one of the bailor shall be the wife of the petitioner, namely, Sugia Devi.

(Satyavrat Verma, J)

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