

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55426 of 2022

Arising Out of PS. Case No.-28 Year-2018 Thana- BARHAT District- Jamui

Naresh Koda, aged about 50 years, (Male), S/O Govind Koda Resident Of
Village- Kumartari, P.S.- Barhat, District- Jamui

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Umesh Prasad, Adv.
For the Opposite Party : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 16-12-2022 This matter has been taken up today for consideration
through video conferencing.

Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in connection with Barhat P.S.
Case No. 28/2018 registered for the offences punishable under
Section 147, 148, 149, 302, 201, 427 of the Indian Penal Code,
3/4 of Prevention of Damage to Public Property Act, 27 of the
Arms Act and 9, 10, 13, 16, 18, 20, 21 of U.A.P. Act.

Learned counsel for the petitioner submits that two
persons were killed and F.I.R. has been lodged by the Sup-
Inspector. Upon reaching at the place of occurrence being a
middle school, he has found some empty cartridges and brother



of the deceased has disclosed the name of 61 persons including the petitioner as being responsible for the alleged occurrence as members of an extremist organisation.

Learned counsel for the petitioner submits that he has been named merely on suspicion. The petitioner has got one criminal antecedent of a similar nature, and, therefore, based on such accusation, he has been named in the instant case.

He is in custody since 19.09.2022 and similarly situated co-accused, namely, Kali Kora has been allowed bail in Cr. Misc No. 22633 of 2019 by a coordinate Bench of this Court. The petitioner is on bail in Barhat P.S. Case No. 41 of 2017.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, prayer based on parity and period of custody, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Jamui, in connection with Barhat P.S. Case No. 28/2018, subject to the following conditions:-



(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

Raj kishore/-

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