

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14595 of 2023

Arising Out of PS. Case No.-83 Year-2019 Thana- PIRI BAZAR District- Lakhisarai

Parmeshwar Kora @ Pramod Kora S/o Bhulo Kora @ Gulo Kora R/o Village-
Kanimoh, P.S.- Kajra, Distt- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since 13.12.2021, in connection with Piri Bazar P.S. Case No. 83 of 2019, F.I.R. dated 18.07.2019 registered for the offences punishable under Sections 147, 148, 149, 307, 353 of the Indian Penal Code, Sections 16, 17, 18, 20, 23, 28 of the U.A.P. Act and Section 27 of the Arms Act.

According to prosecution case, the informant received secret information that 60 active members of nexalites assembled in Bannu Bagicha and moved on to commit an offence and when the police party reached there, they started indiscriminate firing upon them.

Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in the present case. He further submits that from bare perusal of the F.I.R. it appears that there is general and omnibus allegation against altogether 60 F.I.R. named accused persons including the petitioner and some unknown persons who have fired upon the police party but no police party was sustained injury in the present occurrence and there is no specific allegation of any assault or overt act attributed against the petitioner. He further submits that co-accused person namely Bishundeo Kora @ Bishnudeo Kora has been granted bail by this court vide order dated 05.05.2023 passed in Cr. Misc. No. 8847 of 2023 and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 13.12.2021.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries one more case other than the present one but fairly submits on the basis of paragraph-3 of the petition that the petitioner is on bail.

Considering the facts and circumstances of the case, 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 Judicial Magistrate 1st Class, Lakhisarai in connection with Piri Bazar P.S. Case No. 83 of 2019, subject to the following conditions



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(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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