

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16558 of 2023

Arising Out of PS. Case No.-13 Year-2022 Thana- CHANAN District- Lakhisarai

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Pappu Kora @ Pappu Kumar S/O Sita Ram Koda R/O Village- Kachhua, P.S-
Chanan, Distt.- Lakhisarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Mukesh Kumar, Advocate

For the Opposite Party : Mr. Rajendra Singh Shastri, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 15-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Chanan
P.S. Case No. 13 of 2022 dated 26.01.2022, instituted for the
offences punishable under Sections 364(A)/34 of the Indian
Penal Code, Section 27 of the Arms Act & Section 16, 18 and
20 of the UAP Act.

3. Allegation is against the 40-50 unknown persons
(including the petitioner), who are *Naxals* and have kidnapped
Ramji Yadav and his son, namely, Dharmveer Kumar @
Kumkum for demanding ransom money.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. It is submitted that there is general and omnibus allegation



against the petitioner. It is further submitted that the victim was recovered and his statement has been recovered under Section 161 of the Cr.P.C. Further, it is submitted that there is no material against him except his six antecedents. It is further submitted that other co-accused persons, namely, Rajan Kora has been granted bail in Criminal Miscellaneous No. 71930 of 2022 *vide* order date 05.04.2023 and Guddu Yadav in Criminal Miscellaneous No. 32795 of 2022 *vide* order dated 24.02.2023 by a co-ordinate Bench of this Court. Lastly, it has been submitted that the petitioner is in custody since 26.10.2022, has criminal antecedents of six cases and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai in Chanan P.S. Case No. 13 of 2022 subject to the following conditions:-

(i). Petitioner shall co-operate in the trial and



shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(ii). One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

(iii). The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(iv). 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.

(Khatim Reza, J)

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