

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33331 of 2022

Arising Out of PS. Case No.-180 Year-2008 Thana- LAXMIPUR District- Jamui

Rattu Kora @ Ratu Koda S/o Anant Kora @ Bhotan Kora R/o village-
Gobardaha (Chaukia), P.S.- Barhat, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 13-02-2023 Learned counsel for the petitioner is permitted to
remove the defects, as pointed out by the office, if any, within a
period of four weeks from today.

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

Petitioner seeks bail in a case registered for the
offences punishable under Sections 147, 149, 341, 324, 452, 307
and 302 of the Indian Penal Code, Section 27 of the Arms Act and
Section 17 C.L.A. Act.

The prosecution case, in brief, is that 10-12 unknown
miscreants who were armed with rifle and other weapons came
to the house of the informant on 12.11.2008 at about 9:15 P.M.
and asked about Sakundra Sah then Kapil Sah replied that he is
not in the house but miscreants entered into the house and
dragged Sikandra Sah out of house and tied the informant and his



father Sakundar Sah with rope. It is further alleged that the father of the informant was assaulted by *lathi* mercilessly as a result of which he became unconscious and fell down and again he was assaulted by Tangi several times, as a result of which he died on spot.

Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case on the basis of confessional statement of co-accused namely Sikandar Kora. He further submits that nothing has been recovered from the conscious possession of the petitioner. He further submits that similarly situated co-accused namely Sikandra Kora has been granted bail by a Coordinate Bench of this Court vide order dated 08.04.2010 in Cr. Misc. No. 6875 of 2010, another similarly situated co-accused person namely Birbal Daa @ Birbal Murmu has been granted bail by a Coordinate Bench of this Court vide order dated 04.03.2015 in Cr. Misc. No. 934 of 2015 respectively. He further submits that charges have been framed against the petitioner on 12.07.2022 and the petitioner is in custody since 24.02.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner on the ground that the petitioner carries one more case other than the present one.

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 Court below where the case is pending in connection with Laxmipur P.S. Case No. 180 of 2008, with the following conditions :-

(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.

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(Rajesh Kumar Verma, J)

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