

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38690 of 2023**

Arising Out of PS. Case No.-133 Year-2021 Thana- PIRI BAZAR District- Lakhisarai

NAKUL KODA S/O BHOLA KODA @ BHOLA KORA R/O Village-  
Barmasiya Manjhla Tola, PS. Kajra, Dist.Lakhisarai ... .. Petitioner/s  
Versus

THE STATE OF BIHAR ... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Md. Irshad  
For the Opposite Party/s : Mr.Shailendra Kumar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      14-07-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under sections 147, 148, 149, 307, 353, 121, 120(A) of the Indian Penal Code and sections 24, 25(1-b)a,26, 37 and 35 of the Arms Act and Section 16, 17, 18, 20, 21, 22 and 23 of the U.A.P. Act.

As per allegation in the FIR, there was an exchange of firing between the police party and people belonging to naxal group during election time. Several accused persons including this petitioner have created hindrance to the police officials in discharging the official duty on the occasion of Panchayat Election.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no



offence. General and omnibus allegations have been levelled against him. He was only the member of the mob. No one has received injury. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his possession. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 22.12.2022 passed in Cr. Misc. No. 47306 of 2022. Petitioner is languishing in judicial custody since 6.8.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1<sup>st</sup> Lakhisarai in connection with Piri Bazar P.S. Case No. 133 of 2021.

**(Sunil Kumar Panwar, J)**

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