

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50343 of 2023

Arising Out of PS. Case No.-33 Year-2022 Thana- LADAIYATAR District- Munger

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VIDEO KORA @ VINAY KORA S/o Rameshwar Kora R/o Village-Pasra,
P.S.-Laraiyatand, District-Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravish Mishra, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 12-09-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since 26.07.2022 in connection with Laraiyatand P.S. Case No. 33 of 2022, S.T. No.99 of 2023, F.I.R. dated 24.05.2022 for the offences punishable under Sections 147, 148, 149, 121A, 122 of the Indian Penal Code, Section 25(1-b)a, 26(ii), 35 of the Arms Act and Sections 16, 17, 18, 19, 20, 21, 22 of the U.A.P. Act.

3. According to prosecution case, in short, on 24.05.2022 at about 5:30 O'clock the informant received an information that Naxals were gathered in Manjhlitand Jungle of Piisra Jungle in which 8 Naxals including this petitioner were present. The informant along with other police officials reached



at Manjhlitand Jungle by foot. Seeing the police Naxals were succeeded in fleeing away taking the benefit of Jungle. The police recovered some incriminating articles from the Jungle such as an old country made pistol with magazine, one live cartridge of 303 bore, 23 live cartridges of .315 bore etc. All the articles were seized.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case on the basis of his previous criminal antecedents. He further submits that it appears from the F.I.R. that the petitioner was not arrested from the place of occurrence and nothing has been recovered from the conscious possession or the house of the petitioner. He further submits that except the suspicion no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in judicial custody since 26.07.2022.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries four criminal antecedent other than the present one but fairly submits that out



of four cases, petitioner is on bail in two cases as stated in paragraph No.3 of the bail petition.

6. Considering the aforesaid facts and circumstances, 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 Additional Sessions Judge-II, Munger in connection with Laraiyatand P.S. Case No.33 of 2022, subject to 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 witnesses, 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 antecedent, 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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