

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53146 of 2023

Arising Out of PS. Case No.-22 Year-2014 Thana- KAJRA District- Lakhisarai

Sitaram Koda, Son of Meghu Koda @ Machho Koda, Resident of Village-
Ghoghar Ghati, Ps- Kajra, Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Irshad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Kajra P.S. Case No. 22 of 2014 instituted under Section 147, 148, 149, 427, 436 and 120(b) of the Indian Penal Code, Sections 3/4 of Explosive Act and Sections 10 and 13 of the UAP Act lodged on 28.04.2014 by the informant Parendra Kumar.

As per the prosecution story, at the time of Lok Sabha Election, the police upon information to the effect that a blast has taken place at Narottampur Jila High School, reached there and found two big cylinders and three small cylinders. The building was damaged. Accordingly, the FIR and the petitioner is named accused.

It is a case of the petitioner that he has nothing to do



with the 'Naxals', he being PDS dealer, provided ration to all card holders, could not differentiate between local citizen and Naxals, on which, he had already suffered by being in custody since 12.05.2023 (para 1 of the petition). It is his submission that another co-accused namely Shrawan Saw @ Shrawan Sah has already been granted bail vide order dated 27.06.2023 passed in Criminal Misc. No. 24800 of 2023.

Learned APP opposes the prayer for bail.

Considering the facts on record, number of persons have been implicated, the petitioner claims to have PDS dealer, provided food to the card holders and similarly situated accused persons have been granted bail as stated above, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Kajra P.S. Case No. 22 of 2014 to the satisfaction of learned Additional Sessions Judge Judge, Lakhisarai, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;



(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month till trial to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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