

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66948 of 2023

Arising Out of PS. Case No.-83 Year-2019 Thana- PIRI BAZAR District- Lakhisarai

Yogendra Koda Son Of Chhotan Koda @ Chotan Koda Resident Of Village -
Lathiya Bhairo Tola, P.S. - Piri Bazar, District - Lakhisarai

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 17-10-2023

1. Heard learned counsel for the parties.

2. The petitioner has filed the instant application for grant of regular bail in connection with Piri Bazar P.S. Case no. 83 of 2019 registered under sections 307, 147, 148, 149 and 353 of the Indian Penal Code, section 27 of the Arms Act and sections 16, 17, 18, 20 and 23 of U.A.P. Act.

3. As per the prosecution case, on information having been received by the informant about the members of naxalite group having assembled, it is stated that a raid was conducted by the police party along with the BMP and STF. The naxalites started indiscriminate firing on the police party. In the raid one person, namely, Manoj Koda was arrested. Several cartridges of AK-47 etc. were recovered.

4. Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the case because of his antecedents. He has been named as one of the 60 named accused solely on the ground that his name was taken by the aforesaid co-accused Manoj Koda as an accomplice. No specific allegation has been levelled against the petitioner and a number of co-accused persons have been enlarged on bail vide orders contained in Annexure-2 series. The petitioner is in custody since 25.6.2023 and charge-sheet has been submitted in the case.

5. Learned counsel for the petitioner further submits that one of the orders in Annexure-2 series at page-32 which is order dated 8.5.2023 passed in Cr. Misc. no. 6847 of 2023 does not relate to the instant FIR and has been inadvertently annexed.

6. The application for bail is opposed by learned A.P.P. for the State.

7. Having heard learned counsel for the parties and taking into consideration the nature of allegation against this petitioner in the FIR, the petitioner being in custody since 25.6.2023, charge-sheet having been submitted in the case and grant of bail to a number of co-accused vide orders brought on record in Annexure-2 series, the Court directs the petitioner to be enlarged on bail in connection with Piri Bazar P.S. Case no.



83 of 2019 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Lakhisarai.

(Partha Sarthy, J)

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