

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72984 of 2023

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

SAMAR KODA @ SOMAR KODA S/O GHURAN KODA @ GURAN
KODA R/O VILLAGE- SATGHARWA, P.S- CHANAN, DISTT.-
LAKHISARAI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-11-2023 Heard the parties.

2. The petitioner is in Judicial custody in connection Piri Bazar P.S. Case No. 83 of 2019, instituted under Sections 147, 148, 149, 307, 353 of I.P.C. lodged on 18.07.2019 by the informant, Ishwar Nath Yadav.

3. As per the prosecution story, the allegation is that on secret information police went to the Mishu Hill but had to face indiscriminate firing from the other side. However, one Manoj Kora was apprehended and from him, several cartridges of AK-47 were recovered as also some incriminating articles relating to naxalites movement. Accordingly the F.I.R.

4. Learned counsel for the petitioner submits that the name of the petitioner has come on the confessional statement



of co-accused, Manoj Kora. He being a simple farmer, a poor person had no knowledge about the lodging of the case and his implication in the said matter. His last submission is that the other accused persons have been granted bail which include the co-accused, Manoj Kora.

5. Learned APP opposes the prayer for bail stating therein that his name has come on the basis of confessional statement made by Monoj Kora.

6. Considering the submission put forward by learned counsel for the petitioner and and also the fact that the other co-accused, person, namely, Upendra Bind, has been granted bail vide order passed in Cr. Misc. No. 25306 of 2023 and the petitioner is in custody since 01.08.2023 (para-10 to this petition), this Court is inclined to grant him privilege of bail.

7. 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 to the satisfaction of learned Judicial Magistrate, Ist Class, Lakhisarai, in connection with Piri Bazar P.S. Case No. 83 of 2019, 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 fortnight for next six months to mark 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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