

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50456 of 2024

Arising Out of PS. Case No.-11 Year-2018 Thana- KAJRA District- Lakhisarai

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Munilal Koda @ Munna Koda Son of Andu Koda @ Andhu Koda @
Nageshwar Koda Resident of Vill- Bankuda, P.O. and P.S.- Kajra, District-
Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md Irshad

For the Opposite Party/s : Mr.Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in judicial custody in connection with Kajra P.S. Case No. 11 of 2018 registered under Sections 147, 148, 149, 353, 307 of the Indian Penal Code and section 27 of the Arms Act and section 16,17,18,20,23 of the UAP Act lodged on 09.03.2018 by the informant, Amit Kumar.

3. As per the allegation, 43 named accused persons including the petitioner as also 40-45 unknown persons alleged to be naxals by the police, had assembled for commission of offence, according to the information received by the police. The further allegation is that there were firing and cross-firing, as a result, one Constable got injured by the bullet injury.



4. Learned counsel for the petitioner submits that a perusal of the FIR would show that number of persons have been implicated. The same is omnibus in nature, only to keep him in jail number of cases have been lodged, this being one of them. The last submission that similarly situated other co-accused persons which includes Shankar Yadav and Karu Koda @ Ajit Kumar Koda have been extended relief which are part of Annexure-2 in Cr. Miscellaneous No. 7365 of 2021 and Cr. Miscellaneous No. 25815 of 2022 respectively. The petitioner is in custody since 14.06.2023. (para 4 of the petition)

5. Learned APP for the State opposes the prayer of bail of the petitioner.

6. Considering the fact that omnibus allegation of firing has been made against all the accused persons named in the First Information Report, no specific role has been attributed against the petitioner and he is in custody since 14.06.2023, charge-sheet has been submitted and co-accused Shankar Yadav and Karu Koda @ Ajit Kumar Koda have already been granted bail, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M,



Lakhisarai in connection with Kajra P.S. Case No. 11 of 2018,
subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her *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/her 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 his 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)

Ranjeet/-

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