

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47276 of 2024

Arising Out of PS. Case No.-162 Year-2021 Thana- PIRI BAZAR District- Lakhisarai

Nakul Koda @ Lalu Koda S/o Bhola Kora @ Bhola Koda R/o vill -
Baramasiya Manjhla Tola, P.S. - Kajra, Distt. - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 79850 of 2024

Arising Out of PS. Case No.-162 Year-2021 Thana- PIRI BAZAR District- Lakhisarai

Video Koda @ Vinay Koda Son of Rameshwar Koda R/O Vill.- Pasra, Pasra,
P.S.- Laraiyatand, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

.. ... Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 47276 of 2024)

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

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

(In CRIMINAL MISCELLANEOUS No. 79850 of 2024)

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

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 19-03-2025 Heard Learned Counsel for the petitioners and

Learned APP for the State.

2. The petitioners seek regular bail in connection with

Piri Bazar P.S. Case No.162 of 2021 lodged under Sections

147, 148, 149, 448 and 364 of the IPC. read with Section 27 of

the Arms Act read with Section 16, 18, 20 and 23 of the U.A.P.

Act, 1967.

3. As per the prosecution, the FIR has been lodged



against 10-15 unknown persons who are alleged to be member of Maoist Organisation. The allegation against those armed accused persons that they have entered in the house of the informant and kidnapped his son.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that the petitioners are not named in the F.I.R. He further submits that the alleged kidnapped son of the informant has been recovered on the next morning of the occurrence.

5. Counsel further submits that the other co-accused persons have been granted bail by this Court which is Annexure-2 series of both the bail petition. He further submits that no material has been found against them save and except, they have been indicated as member of naxal organisation.

6. Learned Counsel also submits that the petitioner of 1st case is in custody since 06.08.2022 and petitioner of second case is in custody since 25.06.2023 and their antecedents are not clean. There are 4 criminal antecedents against the petitioner of first case in which he is on bail in 3 cases whereas the petitioner of second case have 6 criminal cases pending against him in which he is on bail in all cases.

7. Counsel further submits that case diary and



statement of the victim under section 164 of the Cr.P.C. as well as progress report of the trial have been called for.

8. Learned APP for the State opposes the prayer for bail and submits that it is a case in which U.A.P. Act has been added and antecedents of the petitioners are not clean. He further submits that against petitioner of first case, prosecution sanction has been received. He further submits that by the statement under section 164 of the Cr.P.C., 15-20 persons have been made accused and it has also come that they have caught the informant's son and kidnapped him, but their names have not been disclosed by him.

9. Counsel further submits that that progress of the trial has been demanded which has been received vide letter dated 27.01.2025, the District and Sessions Judge-I has clearly stated that the trial is likely to be concluded within 10 months.

10. In the present facts and circumstances, this Court is not inclined to grant regular bail to the petitioners, therefore the bail application of the petitioners is hereby rejected.

11. It is made clear that if the trial shall not be concluded within 10 months, then the petitioners shall be at liberty to move for bail further.

12. However, the Superintendent of Police, Lakhisarai



is hereby directed to produce all the witnesses for evidence and
take all the necessary steps for conclusion of the trial within the
specified period of time.

(Dr. Anshuman, J.)

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