

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90156 of 2025

Arising Out of PS. Case No.-31 Year-2018 Thana- KAJRA District- Lakhisarai

Karelal Koda @ Pyarelal Koda S/o Dina Kora @ Dani Kora R/o Village -
Kanimoh, P.S - Bannu Bagicha, District - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bijay Kumar Pandey, Advocate Mr. Mukesh Kumar, Advocate
For the Opposite Party/s	:	Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 24-04-2026 Heard the learned counsel for the petitioner
and the learned A.P.P. for the State.

2. The present petition is by way of second attempt at the behest of the petitioner for grant of regular bail in connection with Kajra P.S. Case No. 31 of 2018, registered for the offences punishable under Sections 147, 148, 149, 353 and 307 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. The informant who is Sub-Inspector of Police received a secret information that 70 persons who belong to Naxal groups and 11 persons who are their supporters, have assembled at one place and



were firing gun shots and raising slogan against the police. Thereafter, the informant alongwith the police force reached at the place of occurrence, however the accused persons had resorted to firing upon the police force and, in the meantime, they fled away in the dense forest. The FIR has been registered against 45 named persons and the name of the petitioner is at serial no. 41.

4. The learned counsel for the petitioner submits that the petitioner is innocent and he has committed no offence as also a general and omnibus allegation has been levelled in the FIR, however no specific allegation has been levelled qua the petitioner herein. It is submitted that the petitioner is though accused in 10 other criminal cases, however he is on bail in 8 of them, nonetheless the fact remains that just on account of being implicated in one case pertaining to Naxalite activities, he has been repeatedly implicated in other similar type of cases. The petitioner is stated to be languishing in custody since 28.01.2024. Lastly, it is submitted that most of the similarly situated co-accused persons have been granted



bail by co-ordinate Benches of this Court, vide orders dated 06.02.2019, 17.08.2019, 06.03.2019, 04.06.2019, 15.07.2019, 29.05.2019 and 19.06.2019 passed in Criminal Misc. No. 1606 of 2019, Criminal Misc. No. 34152 of 2019, Criminal Misc. No. 13533 of 2019, Criminal Misc. No. 20208 of 2019, Criminal Misc. No. 36876 of 2019, Criminal Misc. No. 21394 of 2019 and Criminal Misc. No. 36898 of 2019.

5. *Per contra*, though the learned A.P.P. for the State has vehemently opposed the prayer of the petitioner for grant of regular bail, however it has been submitted by referring to the case dairy that a general and omnibus allegation has been levelled against the petitioner and no specific allegation is *prima facie* decipherable from the records to suggest that the petitioner had also engaged in firing gun shots upon the police force.

6. Having regard to the facts and circumstances of the case and considering the materials available on record including those available in the case dairy, I deem it fit and proper to admit the petitioner to the privilege of regular bail.



7. Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Kajra P.S. Case No. 31 of 2018, subject to the following conditions:

(I) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(II) Petitioner shall co-operate in the trial and shall be properly represented on each and every date so fixed by the court, the petitioner shall remain physically present as directed by Court and in the event of his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.

(III) If the petitioner tampers with the evidence or the witnesses of the case, in that case, the prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Mohit Kumar Shah, J)

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