

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45659 of 2018

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1. Lalan Rai @ Lalan Raj @ Lalan Singh Son of Late Virendrar Prasad Singh @ Late B. Kumar Resident of Village Ward No. 20, Mohan Eghu, P.S.Muffasil, District Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Kumar, Advocate
Mr. Ashok Kumar, Advocate
Mrs Priya Choubey, Advocate

For the State : Mr. Mukeshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 06-08-2018 Heard the parties.

The petitioner seeks anticipatory bail in connection with Kahalgaon P.S. Case No. 337 of 2018, registered for offences punishable under Sections 327, 409, 420 of the Indian Penal Code, Section 40 of B.M.M.C. Rule 1972 and Section 6/8 B.M.R.C. Rule 2003.

As per F.I.R., allegation against the petitioner is of manage the illegal collection from the drivers of over loaded trucks and police official seized cash of Rs. 10,22,180/- and further seized Rs. 2,00, 850/- and also seized 12 ATM, seven pass books, 22 Cheque Books, L.I.C. documents and seven mobiles and registers and a seizure list was prepared and apprehended co-accused persons Lalu Mandal and Bikash Pandit, who disclosed the name of the petitioner.



Submission of the learned counsel for the petitioner is that the petitioner has been falsely implicated in the instant case and only on the basis of confessional statement of co-accused, Lalu Mandal, nothing incriminating has been recovered from the possession of the petitioner. It is also submitted that the house of the co-accused, Lalu Mandal, situated at the adjacent of the house of the petitioner and there is some land dispute between them and the petitioner has no criminal antecedents.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as discussed above, let the petitioner, above named on surrender or arrest within six weeks be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Kahalgaon P.S.Case No. 337 of 2018, subject to the conditions as laid down under Section 438 (2) of Cr.P.C. with condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.

(Vinod Kumar Sinha, J)

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