

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70500 of 2019

In
CRIMINAL MISCELLANEOUS No.59147 of 2018

Arising Out of PS. Case No.-188 Year-2018 Thana- ALOULI District- Khagaria

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1. LALO KUMAR @ LALO SHARMA Son of Ashok Sharma
 2. Jhulan Kumar Son of Ashok Sharma
 3. Ramchandra Sharma Son of Late Brispat Sharma @ Brihaspat Sharma
 4. Sunita Devi Wife of Ashok Sharma
 5. Subhash Kumar Son of Brahamdeo Sharma
All Resident of Village - Raun, P.S.- Alauli, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai, Adv

For the Opposite Party/s : Mr.Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 02-07-2020 The matter has been taken up through video conferencing.

Heard the parties.

Petitioner-Lalo Kumar @ Lalo Sharma alongwith other petitioners were allowed anticipatory bail by this Court in connection with Alauli P.S.Case No.188 of 2018 on 30.11.2018 in Cr.Misc.No.59147 of 2018. However, a condition was imposed that the learned Trial Judge shall verify, whether Lalo



Kumar @ Lalo Sharma was accused in Alauli P.S.Case No.63 of 2014, before acceptance of bail bond as the petitioner stated that he has got no criminal antecedent and the learned counsel for the informant informed the Court that the aforesaid case was there against petitioner-Lalo Kumar @ Lalo Sharma.

Now this application is for modification in the aforesaid condition of anticipatory bail for the reason that petitioner-Lalo Kumar @ Lalo Sharma was already acquitted in Alauli P.S.Case No.63 of 2014 by judgment dated 09.05.2016 much prior to the filing of the bail application. Hence, that criminal case was not there on the date of application for anticipatory bail.

Finding substance in the submission aforesaid, it is directed that let petitioner-Lalo Kumar @ Lalo Sharma, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Alauli P.S.Case No. 188 of 2018, subject to the conditions as laid down under Section



438(2) of the Code of Criminal Procedure and further petitioner-Lalo Kumar @ Lalo Sharma shall fully cooperate with the investigation/trial of the case and also petitioner-Lalo Kumar @ Lalo Sharma shall not leave the country without permission of the learned Trial Court, failing which the court below shall be at liberty to cancel the bail bond of the petitioner-Lalo Kumar @ Lalo Sharma.

The condition imposed in the order dated 30.11.2018 shall not come in the way of acceptance of bail bond of petitioner-Lalo Kumar @ Lalo Sharma.

Accordingly, this application stands disposed off.

(Birendra Kumar, J)

Nitesh/-

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