

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32196 of 2020**

Arising Out of PS. Case No.-123 Year-2019 Thana- CHIKSAURA District- Nalanda

Lalan Prasad (Male), aged about 30 years, S/o Late Rajinder Prasad, Resident of Village-Chandar Bigha, P.S.-Chiksaura, District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                                              |
|----------------------|---|--------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Ajay Kumar Thakur with<br>Ms. Vaishnavi Singh, Advocates |
| For the State        | : | Mr. Upendra Kumar, APP                                       |

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH**  
**ORAL JUDGMENT**

**Date : 04-01-2021**

Heard Mr. Ajay Kumar Thakur, learned counsel along with Ms. Vaishnavi Singh, learned counsel, for the petitioner and Mr. Upendra Kumar, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

2. The petitioner is in custody in connection with Chiksaura PS Case No. 123 of 2019 dated 23.12.2019, instituted under Sections 302/24 of the Indian Penal Code and 27 of the Arms Act.

3. The allegation against the petitioner is that on his order, the other named accused fired, resulting in the death of one of the wives of the informant.

4. Learned counsel for the petitioner submitted that he is only an order giver, that too, without any overt act alleged against



him and that he does not have any criminal antecedent. Learned counsel submitted that the petitioner is in custody since 19.02.2020.

5. Learned APP submitted that the petitioner is the person who ordered the co-accused Vinod Prasad to fire leading to death of the wife of the informant.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Hilsa, Nalanda in Chiksaura PS Case No. 123 of 2019, subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that the petitioner shall also give an undertaking to the Court that he shall not indulge in any illegal/criminal activity, act in violation of any law/statutory provisions, tamper with the evidence or influence the witnesses. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the



Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

7. However, this order is subject to the main application supported by affidavit being *e* filed in this Court by learned counsel for the petitioner latest by day after tomorrow.

8. The application stands disposed off in the aforementioned terms.

**(Ahsanuddin Amanullah, J)**

Anjani/-

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