

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9064 of 2021

Arising Out of PS. Case No.-245 Year-2020 Thana- SAHEBGANJ District- Muzaffarpur

Lalu Singh alias Ghanshyam Kumar, Son of Makeswar Singh, Resident of
Village - Sonaut Bangara Nizamat, P.S. - Sahebganj, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 02-07-2021 The matter has been taken up today for consideration
through video conferencing.

The learned counsels are appearing and making
submissions from their residence. The Court Master and
Secretary are also part of this virtual Court proceedings from
their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with
Sahebganj P.S. Case No.245 of 2020 registered for the offence
punishable under Sections 341, 342, 323, 307, 379/34 of the
Indian Penal Code.

The informant has alleged that the petitioner along
with co-accused Saheb Rai and one unknown person stopped his



motorcycle and fired upon him.

Petitioner's counsel submits that the allegation is general and omnibus. He submits that no such occurrence has taken place as the informant has not stated about receiving any injury in the process and, in fact, no injury was found in course of investigation. Co-accused Saheb Rai, similarly situated as the petitioner, has been allowed bail in Cr.Misc. No.5706 of 2021. Petitioner's implication is based on extraneous consideration. He having no criminal antecedents is in custody since 29.05.2020.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st West, Muzaffarpur, in connection with Sahebganj P.S. Case No.245 of 2020, subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as



to how he is related with the petitioner.
The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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