

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3902 of 2022

Arising Out of PS. Case No.-344 Year-2021 Thana- LALGANJ District- Vaishali

=====

Ujjwal Kumar @ Ujjwal Kumar Shukla Son of Sri Suresh Shukla Resident of
Village Jalalpur, P.S. - Lalganj, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 10952 of 2022

Arising Out of PS. Case No.-344 Year-2021 Thana- LALGANJ District- Vaishali

=====

Triloki Sahni son of Late Bipat Sahni Resident of Village - Salempur Diyar,
P.S. - Lalganj, Dist. - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 12049 of 2022

Arising Out of PS. Case No.-344 Year-2021 Thana- LALGANJ District- Vaishali

=====

Rajeev Thakur @ Rajeev Ranjan Son Of Narendra Sharma @ Narendra
Kumar Sharma Resident of Mohalla- Pojhiya, Ward No.18, P.S.- Lalganj,
District- Vaishali- 844121.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 3902 of 2022)

For the Petitioner/s : Mr. A.K. Thakur (Adv.)

Mr. Pravin Kumar

Ms. Vaishnavi Singh

Mr. Ritwik Thakur

For the Opposite Party/s : Mr. Rajiv Nayan

(In CRIMINAL MISCELLANEOUS No. 10952 of 2022)

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Mr. Ram Sevak Choudhary

(In CRIMINAL MISCELLANEOUS No. 12049 of 2022)



For the Petitioner/s : Mr. Surendra Kishore Thakur
For the Opposite Party/s : Mr. Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

4 05-12-2022 Heard learned counsel for the petitioners and
learned APP for the State.

The petitioners seek bail in connection with Lalganj
P.S. Case No. 344 of 2021, registered for the offences
punishable under Sections 302, 201 and 34 of the Indian
Penal Code.

The prosecution case as emerging from the F.I.R.
is that when the informant's son, namely, Pappu Kumar went
to the house of one Rajeev Thakur to collect the payment of
tractor, the petitioner along with his associates had killed
him and thrown the dead body at Salempur Ghat near Devi
Asthan.

The learned counsel for the petitioners, submit that
the petitioners, namely, Ujjwal Kumar and Rajeev Thakur
are innocent and have falsely been implicated in this case.
They further submit that as per the best case, there is only
allegation of threatening by accused-petitioners Ujjwal
Kumar and Rajeev Thakur and there is no other incriminating



material against them in the case-diary even after completion of the investigation.

Ld. Counsel for petitioner submit that the only allegation against the petitioner, namely, Triloki Sahni is that one pen and diary of the deceased has been recovered from him.

The petitioners have been languishing in jail since 28.09.2021.

It is also stated in paragraph no. 2 of the petition that the petitioners have never moved before this Court for grant of anticipatory bail or regular bail.

It has further been stated that the petitioners have no criminal antecedent.

However, the learned APP for the State vehemently opposes the prayer of the petitioners for bail.

Considering the aforesaid facts and circumstances, the petitioners, above-named, are directed to be released on bail on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Ld. Additional Chief



Judicial Magistrate-IX, Vaishali at Hajipur in connection with
Lalganj P.S. Case No. 344 of 2021, **after framing of
charge, if not already framed** on the following conditions:

(i) The petitioners will make themselves available
for interrogation by a police officer/court as and when
required.

(ii) The petitioners will undertake that
investigation/trial will not hamper on account of their
absence or non-cooperation. They must be available to the
police or the court whenever their presence is required.

(iii) The petitioners shall not, directly or indirectly
make any inducement, threat or promise to any person
acquainted with the facts of the case so as to dissuade them
from disclosing such facts to the court or to any police
officer.

(iv) In case, it is brought to the notice of the court
below that the petitioners have any criminal antecedents, the
learned court below shall cancel the bail bond of the
petitioners after hearing them and getting satisfied that the
petitioners have concealed their criminal antecedents despite



their knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioners.

The application stands allowed accordingly.

The learned counsel for the petitioners is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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