

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29769 of 2021

Arising Out of PS. Case No.-57 Year-2020 Thana- MEHANDIGANJ District- Patna

Lahkindra @ Baba @ Lahkindra Kumar S/o Maheshwar Rai R/o Village-
Ranipur Morcha, Police Station- Mehdiganj, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Jiban Pd. Singh, Advocate

For the Opposite Party/s : Mr. PP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-06-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

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

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 504, 506, 307, 332, 333, 342, 224, 201, 338, 427, 353, 225, 379 of the Indian Penal Code and Section 27 of the Arms Act and Section 45 of the Bihar Prohibition and Excise Act.

Recovery is of 30 litres of foreign liquor.

Learned counsel for the petitioner submits that the petitioner has clean antecedents and he has been falsely implicated in the present case. He further submits that it appears



from the F.I.R. that there is general and omnibus allegation against all the accused persons including the petitioner. He further submits that nothing has been recovered from the possession of the petitioner and similarly situated co-accused persons namely Rajeev Kumar, Kallu Rai and others have been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 20.01.2021 in Cr. Misc. No. 29216 of 2020.

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

Considering the facts and circumstances of the case, let the petitioner, 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. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Mehdiganj P.S. Case No. 57 of 2020, Special Case No. 2628 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient



reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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