

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44932 of 2021

Arising Out of PS. Case No.-155 Year-2021 Thana- LALGANJ District- Vaishali

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KRISHNA KUMAR Son of Kailash Singh @ Kailash Bhagat Resident of
Village- Kamalpur, P.S.- Lalganj, District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan
For the Opposite Party/s : Mr. Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-02-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Lalganj Police Station Case No. 155 of 2021, registered for the
offences punishable under Sections 399/402/414 of the Indian
Penal Code and Section 25(1-B)a/26/35 of the Arms Act.

The prosecution case, as per the First Information
Report, is that the police, during vehicle checking, intercepted
one motorcycle and recovered one loaded country made pistol
and one live cartridge from the possession of co-accused Raja
Kumar, who disclosed the name of other co-accused persons,
who were planning to commit dacoity at the instance of one
Mantu Rai and the petitioner is said to be the brother of co-
accused Shatrughan Kumar, whose name was also disclosed by



co-accused Raju Kumar.

Learned Counsel for the petitioner submits that petitioner has got no criminal antecedent and he has merely been implicated in this case on the basis of the fact that one mobile phone was recovered from the possession of this petitioner, which was in the name of his brother and co-accused Shatrughan Kumar, and was being used by co-accused Shatrughan Kumar for talking to one Mantu Rai, who was in jail. He further submits that in course of investigation, this fact has come to notice that the owner of the mobile phone is the brother of the petitioner, Shatrughan Kumar and since the said mobile was with the petitioner at the time of raid by the police, he has been implicated in this case. He further submits that the petitioner is in custody since 08.05.2021 and charge sheet has been submitted against him and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that the petitioner has got no criminal antecedent, he has been made accused in this case on the basis of the CDR of the mobile phone found in his possession at the time of raid, charge sheet has already been



submitted and the petitioner is in custody since 08.05.2021, I am inclined to grant regular bail to the petitioners.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned 9th Additional Chief Judicial Magistrate, Vaishali, at Hajipur, in connection Lalganj Police Station Case No. 155 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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