

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42228 of 2022

Arising Out of PS. Case No.-136 Year-2020 Thana- DAUDNAGAR District- Aurangabad

LALU KUMAR Son of Rajgir Yadav @ Rajgeer Singh, Resident of village-
Karmahi, P.s- Daudnagar, Dist- Aurangabad, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

ORAL ORDER

2 09-11-2022 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection with
Daudnagar P.S. Case No. 136 of 2020, registered for the offences
punishable under Sections 302, 354, 341, 323 and 34 of the Indian
Penal Code.

As per allegation, the petitioner along with other named
co-accused persons badly assaulted the informant's husband, who
was shifted to Daudnagar hospital and therefrom he was referred
to P.M.C.H. where he died.

The learned counsel for the petitioner has submitted that
the petitioner is innocent and there is a long gap between the
alleged assaulted and the death of the deceased. He has submitted



further that the petitioner was granted anticipatory bail in Criminal Miscellaneous No. 35083 of 2021, vide order dated 13.06.2022 by the co-ordinate Bench of this Court, but it was an infructuous order, as the petitioner was under custody on the day of grant of anticipatory bail. The learned counsel has also submitted that on the similar ground, co-accused Pintu Kumar @ Pintu Yadav has been granted bail by the co-ordinate Bench in Criminal Miscellaneous No. 24801 of 2022, vide order dated 02.11.2022.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Aurangabad in connection with Daudnagar P.S. Case No. 136 of 2020 subject to the following conditions:-

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

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

(iii) The petitioner 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 him



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 petitioner has any criminal antecedent, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his 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 petitioner.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

Nirmal/Mahesh

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