

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38391 of 2022

Arising Out of PS. Case No.-242 Year-2021 Thana- PIPRA District- East Champaran

Laloo Ram @ Lalu Ram S/O Lachhan Ram Resident Of Village- Maharani,
P.S.- Pipra, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 02-02-2023 Heard Ld. counsel for the petitioner and Ld. APP
for the State.

The petitioner seeks bail in connection with Pipra
P.S. Case No. 242 of 2021, registered for the offences
punishable under Sections 302, 201, 34 of the Indian Penal
Code.

The prosecution story as emerges from the FIR is
that on 10.03.2021 at 09:00 AM, the husband of the
informant went to his field and at about 02:00 PM, the
informant got information that petitioner along with his
associates assaulted and killed her husband and threw the
dead body in the field.



Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case only on the basis of suspicion. He further submits that investigation in this case is complete and charge-sheet has already been submitted. He also submits that other co-accused, namely, Ramdeo Ram, has already been enlarged on bail by a coordinate Bench of this Court vide order dated 20.07.2022 passed in Cr. Misc. No. 6328 of 2022.

He further submits that the petitioner has been languishing in jail since 15.05.2022.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has earlier been made accused in one other case.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has moved this Court earlier either for anticipatory bail in Cr. Misc. No. 5392 of 2022 which has become infructuous, because during the pendency of the anticipatory bail petitioner was arrested.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.



Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Chief Judicial Magistrate, East Champaran at Motihari in connection with Pipra P.S. Case No. 242 of 2021, **after framing of charge if not already framed** on 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 criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents 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, Ld. court below shall cancel the bail bonds of the petitioner.

Ld. counsel for the petitioner 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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