

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59840 of 2022

Arising Out of PS. Case No.-115 Year-2022 Thana- BUNIYAD GANJ District- Gaya

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LALLAN SINGH @ LALLAN KUMAR SINGH @ LALAN KUMAR Son
of Mahendra Kumar Singh Resident of Village - Bhualpur, P.S.- Buniyadganj,
District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar
For the Opposite Party/s : Mr. Ramchandra Sahni

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 11-01-2023 Heard Ld. counsel for the petitioner and Ld. APP

for the State.

The petitioner seeks bail in connection with

Buniyadganj P.S. Case No. 115 of 2022, registered for the

offences punishable under Sections 307, 354, 379, 323,

326, 504, 506, 147, 148 and 149 of the Indian Penal Code

and Section 27 of the Arms Act.

The prosecution case as emerging from the FIR is

that the petitioner along with his associates had assaulted

the informant with lathi and also opened fire, due to which

he sustained injuries.

Ld. counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. He further submits that the injury, allegedly caused by the petitioner, is simple in nature. He also submits that investigation in this case is complete and charge-sheet has already been submitted but yet charge has not been framed.

He further submits that the petitioner has been languishing in jail since 25.07.2022.

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 never moved before this Court earlier either for anticipatory bail or regular one.

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, after framing of charge, if not already framed,** directing the petitioner, above-named, to be released 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 the Ld. A.C.J.M.-
VIII, Gaya in connection with Buniyadganj P.S. Case No.
115 of 2022 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 bond
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 bond 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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