

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64903 of 2023

Arising Out of PS. Case No.-107 Year-2017 Thana- SINDHIYA District- Samastipur

Lalu Ray @ Lalu Rai @ Lalo Rai @ Asutosh Rai @ Ashutosh Ray S/O Nand
Kumar Ray @ Mohan Rai Village- Musepur, Ps- Garhpura, Dist- Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Anand, Advocate
For the Opposite Party/s : Mr.Upendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 12-10-2023 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Singhiya P.S. Case No. 107 of 2017 dated 10.07.2017 registered for the offences punishable u/ss 115, 120B and 353 of the Indian Penal Code and u/ss 25(1-B)/26/35 of the Arms Act.

3. As per the prosecution case, on secret information, some unknown miscreants were assembled for making preparation to commit crime. During the course of vehicle checking, one miscreant sitting on the vehicle started to flee away but he was apprehended by the Saif Police. The apprehended person disclosed his name as Md. Mehndi. Four



miscreants along with the driver of the said vehicle were apprehended. On search, one country made loaded pistol and 9 cartridges and a mobile were recovered from the possession of Md. Mehndi. They further disclosed that they have concern with Lalu Rai (petitioner) who directed to kill the owner of the Jagdamba Travels namely Kailash Rai. They also disclosed that the petitioner provided the mobile number of Praveen Kumar Soni and Pappu Sahani. Praveen Kumar Soni told him that pay Rs. 50,000/- for killing of Kailash Rai and Vijay Yadav had provided arms and ammunition to kill Kailash Rai.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has sprung up in the confessional statement of the co-accused, Praveen Kumar Soni. No incriminating article has been recovered from the conscious possession of the petitioner. It is further submitted that the petitioner has no concern with the alleged offence. The petitioner is accused in 19 cases and he is on bail in 17 cases as stated in para 3 of the bail petition. The petitioner is in custody since 03.05.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.



6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Rosera in connection with Singhiya P.S. Case No. 107 of 2017 with the conditions :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, his bail bonds are liable to be cancelled.

(ii) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bonds.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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