

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12693 of 2024

Arising Out of PS. Case No.-361 Year-2023 Thana- GOPALPUR District- Bhagalpur

Lalu Kumar Son of Ganesh Yadav @ Ganesh Prasad Yadav Resident of Vill.-
Harnathchak, P.S.-Gopalpur, Distt.-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Amrendra Kumar, Advocate
For the State : Ms. Dr. Indihar Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 01-03-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Gopalpur P.S. Case No. 361 of 2023 instituted for the offence
under Sections 147, 148, 149, 302, 504 & 506 of the Indian
Penal Code and 27 of the Arms Act.

3. As per the prosecution case, husband of the
informant was assaulted by the co-accused persons, including
the petitioner, due to which he succumbed to injury.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 09-10-2023. Petitioner is
stated to be man of clean antecedent.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. His name has surfaced during course of investigation as conspirator. There is no direct allegation levelled against the petitioner. There is general and omnibus allegation attributed to the petitioner. Charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, clean antecedent of the petitioner and the fact that there is no direct allegation against the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Gopalpur P.S. Case No. 361 of 2023 subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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