

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19839 of 2024**

Arising Out of PS. Case No.-78 Year-2023 Thana- JAMALPUR RAIL P.S. District-
Lakhisarai

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Lalu Kumar @ Lalu Sah @ Lolu Sah Son of Surendra Sah Resident of
Village- Sitakund Hasanpur, P.S.- Muffasil, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Puja Kumari, Adv.
For the Opposite Party/s : Mr.Bishweshwar Ram, APP

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

ORAL ORDER

2 18-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
GRP/Jamalpur P.S. Case No. 78 of 2023 instituted for the
offences under Section 414 of the Indian Penal Code.

3. As per prosecution case, the police, on being
suspicious, apprehended a person at the Jamalapur Railway
Station who disclosed his name as Lalu Sah (the petitioner). On
search, two mobile sets along with Sim and cash amounting Rs.
5,310/- were recovered from the pocket off the petitioner. On his
disclosures, the police also recovered a motorcycle from the
parking area.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. No T.I. Parade has been held till date. He further submits that Section 414 IPC is triable by Magistrate. The petitioner has two criminal antecedents as has been stated in paragraph no.3 of the present bail application. The petitioner is languishing in judicial custody since 25.08.2023. Charge-nothing has been submitted in this case.

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

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 GRP/Jamalpur P.S. Case No. 78 of 2023, subject to 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)

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