

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21905 of 2024

Arising Out of PS. Case No.-295 Year-2021 Thana- KUMAR KHAND District- Madhepura

Laddu Kumar S/o Naresh Prasad R/o Vill - Routa, Ward No. 15, P.S. -
Kumarkhand, Dist. - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Uday Chand Prasad, Adv.
	:	Mr.Manoj Kumar, Adv.
For the Opposite Party/s	:	Mr.Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 10-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Kumarkhand P.S. Case No.295 of 2021 lodged under Sections
307, 393 and 34 of the I.P.C. read with Section 27 of the Arms
Act.

3. As per the prosecution case, the F.I.R. has been
lodged against nine unknown accused persons against whom
there is allegation of attempt to murder and recovery of arms
has also been made in this case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that the petitioner's name has figured in this case by virtue of



confessional statement of co-accused and nothing incriminating has been recovered from his possession nor he was put on T.I.P.

5. Counsel further submits that petitioner's name has come in this case at the instance of police, only due to the reason that there are 8 criminal cases pending against him. He submits that petitioner is in custody since 23.05.2023 and charge-sheet has already been filed in this case.

6. Counsel also submits that the other co-accused persons have been granted bail by this Court vide order dated 24.11.2022 passed in Cr. Misc. No. 39866/2022.

7. Learned counsel for the State opposes the prayer for bail and submits that at the time of consideration of bail, antecedent of the petitioner may be taken into consideration.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IV, Madhepura in connection with Kumarkhand P.S. Case No.295 of 2021, subject to the following conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:-

(i) one of the bailor should be the family member of



the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

9. However, the petitioner shall be granted bail only on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are as follows:-

- i. Kumarkhand P.S. Case No.182 of 2021.
- ii. Kumarkhand P.S. Case No.331 of 2021.
- iii. Kumarkhand P.S. Case No.27 of 2020.



- iv. Kumarkhand P.S. Case no.331 of 2021.
- v. Kumarkhand P.S. Case No.332 of 2021.
- vi. Kumarkhand P.S. Case No. 36 of 2022.
- vii. Murliganj P.S. Case No. 380 of 2019.
- viii. Kumarkhand P.S. Case No.188 of 2022.

(Dr. Anshuman, J.)

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