

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20786 of 2024

Arising Out of PS. Case No.-98 Year-2020 Thana- NIMCHAKBATHANI District- Gaya

Laloo Prasad @ Laloo Kumar son of Satyendra Yadav @ Satyendra Prasad
Vill- Horidih , Ps- Neemchak bathani , Dist- gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-04-2024 Heard Mr. Sunil Kumar, learned counsel for the

petitioner and Mr. Shailendra Kumar Singh, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Neemchak Bathani P.S. Case No. 98 of 2020, F.I.R. dated 25.05.2020 for the offences punishable under Sections 147, 148, 427, 307, 504 of the Indian Penal Code and Section 27 of the Arms Act.

3. According to prosecution case, all the accused persons including this petitioner have chased the informant and accused, Chandan Kumar has made two round firing and threatened the informant to kill him.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the



present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that it appears from the F.I.R. that there is no specific allegation of any assault or overt act attributed against the petitioner rather there is allegation that the petitioner was member of the mob.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the F.I.R. and apart from that the petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate -X, Gaya in connection with Neemchak Bathani P.S. Case No. 98 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure and with other following conditions:-

- i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.
- ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.
- iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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