

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21155 of 2024

Arising Out of PS. Case No.-102 Year-2023 Thana- BATHNAHA District- Sitamarhi

Lalu Singh S/O Kapleshwar Singh R/O Village- Sonbarsa, P.S- Bathnaha,
Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Adv.

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-04-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner seeks regular bail in connection with
Bathnaha P.S. Case No. 102 of 2023, lodged on 21.03.2023
under Sections 447, 341, 323, 307, 379, 504, 34 of the Indian
Penal Code.

3. As per the prosecution case, FIR has been lodged
against seven named accused persons including the present
petitioner. The allegation against the present petitioner is that he
has attacked the informant's father on his head by a bamboo due
to which he become unconscious and subsequently, referred to
hospital where during treatment, informant's father died.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel



also submits that in the initial *fardbayan*, there is no such allegation made which is annexed as Annexure-3 of the bail application, but on the said *fardbayan*, police has not pursued, rather on another *fardbayan*, FIR has been lodged. Counsel further submits that the prosecution story creates doubt and death injury attached with the present case is not supporting the prosecution story.

5. Learned counsel for the petitioner submits that the criminal antecedent of the petitioner is not clean and there is only one criminal case pending against him in which he is on bail. The petitioner is in custody since 24.01.2024 in the present case. Counsel also submits that the charge-sheet has already been submitted in this case. Counsel further submits that the petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

6. Learned APP for the State opposes the prayer for bail of the petitioner.

7. Learned counsel for the informant vehemently opposes the prayer for bail of the petitioner and submits that there is a direct allegation against the present petitioner and his criminal antecedent is also not clean.

8. Upon the specific query of the Court from the



counsel for petitioner that whether charge has been framed in this case or not, counsel submits that he is not aware that whether charge has been framed or not.

9. In the present facts and circumstances of this case and the submissions made above, **let the petitioner above named be granted bail, but only three months after framing of charge**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Sitamarhi in connection with Bathnaha P.S. Case No. 102 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C.

10. 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)- Bathnaha P.S. Case No. 330 of 2018.

(Dr. Anshuman, J.)

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