

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20923 of 2024

Arising Out of PS. Case No.-675 Year-2021 Thana- BIHAR District- Nalanda

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LALLA @ ADITYA @ ADITYA KUMAR SON OF DHANANJAY
PRASAD RESIDENT OF VILLAGE - KAMALBIGHA, P.S. -
KATRISARAI, DISTRICT - NALANDA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Bipin Chandra, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 15-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Bihar P.S. Case No. 675 of 2021 dated 05.10.2021 instituted for the offence punishable under Sections 394 of the IPC.

3. The present FIR has been lodged against two unknown miscreants alleging therein that when the informant, after taking tuition, was on the way to his home, he was stabbed twice on his back and his mobile phone bearing SIM No. 7369030152 was snatched by the two unknown miscreants.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has been falsely implicated in this case. It is submitted that the FIR has been lodged against unknown



persons and this petitioner has been made accused in this case on the basis of confessional statement of a co-accused, Golu Kumar. Learned counsel next submits that no incriminating article has been recovered from the possession of the petitioner or from his house. It is also submitted that the petitioner is a student of B.A Part-II, Nalanda College, Bihar Sharif. Lastly, it has been submitted that the petitioner has got only one criminal case against him.

5. Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Bihar P.S. Case No. 675 of 2021, he will be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda, subject to conditions as laid down under Section 438(2) of the Cr.P.C with further following conditions:-

(i) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(ii) One of the bailors will be their own blood relation, preferably father, mother, brother, sister and or his wife.

(iii) The bailors shall also state on affidavit that they will inform the court concerned if the petitioners are made accused in any other case of similar nature after their release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(iv) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

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