

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23951 of 2024

Arising Out of PS. Case No.-600 Year-2023 Thana- LAKHISARAI District- Lakhisarai

Bulbul Kumar S/o Chhote Yadav @ Dharmendra Yadav Resident of Village-
English, Ward No. 04, Police Station- Lakhisarai, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Lakhisarai (Kabaiya) P.S. Case No.600 of 2023, lodged on
06.08.2023, under Section 401 of the Indian Penal Code as well
as under Sections 25(1-b)/A/25(1-ac)/26(1)/35 of the Arms Act
and Sections 4/5 of the Explosive Substance Act.

3. As per the prosecution, FIR has been lodged against
eight named accused persons including the present petitioner.
The name of the petitioner has come in the FIR by the
apprehended person who disclosed that he used to run a gang
with the help of different accused persons including the
petitioner.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. Counsel submits that nothing has been recovered from the possession of the petitioner. Counsel further submits that name of the petitioner has figured in this case only by virtue of confessional statement of apprehended accused person. The petitioner is in custody since 14.11.2023 and is accused in two more criminal cases, in which he is on bail.

5. Learned counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail **on being satisfied that petitioner is not absconding in the following cases, i.e., (i) Lakhisarai P.S. Case No.166 of 2020, (ii) Lakhisarai P.S. Case No.686 of 2021**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai, in connection with Lakhisarai (Kabaiya) P.S. Case No.600 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure 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.

(Dr. Anshuman, J)

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