

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26807 of 2024

Arising Out of PS. Case No.-104 Year-2023 Thana- MALI District- Aurangabad

Lalan Mehta S/o Late Ramsundar Mehta R/o Village Chilhaki Bigha, PS
Amba District Aurangabad

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ashok Singh, Adv. Mr. Abhishek Kumar Singh, Adv.
For the informant	:	Mr. Om Prakash Kumar, Adv. Ms. Soni Kumari, Adv.
For the Opposite Party/s :		Mr.Nirmal Kumar Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 18-07-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Mali P.S. Case No. 104 of 2023 dated 11.11.2023 registered for the offences punishable u/ss 302 and 120B read with Section 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have killed the informant's father under a conspiracy.

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



this case. The occurrence took place on 10.11.2023 but the F.I.R. was lodged on 11.11.2023 and there is no explanation for this delay. There is no specific allegation against the petitioner rather the allegation is general and omnibus. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the petitioner has no concern with the alleged offence. The co-accused person has already been granted regular bail by this court vide order dated 30.04.2024 passed in Cr. Misc. No. 30251 of 2024. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 29.01.2024.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Aurangabad in connection with Mali P.S. Case No. 104 of 2023, with the condition/s:-

(i) The petitioner is directed to remain



*physically present before the learned
Court below on each and every date,
failing which on two consecutive dates
without reasonable cause, the
prosecution will be at liberty to move
for cancellation of his bail bond.*

7. The application stands allowed.

(Chandra Prakash Singh, J)

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