

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40824 of 2024

Arising Out of PS. Case No.-682 Year-2022 Thana- LAHERIMUHALLA District- Nalanda

Lakshman Singh @Lakhan Singh @Raju Singh Rajput S/O Niranantar Singh
R/O VILLAGE CHANPUR P.S. BARIYA DISTRICT BALLIYA (UP)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate
For the State : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-06-2024 Heard Mr. Raj Kishor Prasad, learned counsel for
the petitioner and Mr. Anil Kumar, learned counsel A.P.P.
appearing on behalf of the State.

2. The petitioner seeks bail in connection with Laheri
P.S. Case No. 682 of 2022 registered for the offence under
Sections 399 and 402 of the Indian Penal Code and Section
25(1-b)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, one loaded pistol is
said to have been recovered from the conscious possession of
the petitioner.

4. Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. He further
submits that from a bare perusal of the FIR it appears that there



is one loaded pistol was recovered from the conscious possession of the petitioner and there is non-compliance of Section 100 of Cr.P.C. He further submits that other co-accused person, namely, Santosh Kumar has been granted bail by a co-ordinate Bench of this Court vide order dated 17.05.2023 passed in Cr. Misc. No. 21427 of 2023 and other co-accused person, namely, Dularchand Kumar @ Amit Kumar has also been granted bail by this Court vide order 10.08.2023 passed in Cr. Misc. No. 50714 of 2023. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 31.12.2022.

5. Learned A.P.P. for the State opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned Chief Judicial Magistrate, Nalanda in connection with Laheri P.S. Case No.682 of 2022 with the 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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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