

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62146 of 2023

Arising Out of PS. Case No.-265 Year-2023 Thana- LAKHISARAI District- Lakhisarai

LAV KUMAR S/O ARUN YADAV R/O VILLAGE- BILAUARI, PS. AND
DIST. LAKHISARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 69554 of 2023

Arising Out of PS. Case No.-265 Year-2023 Thana- LAKHISARAI District- Lakhisarai

RAJA KUMAR @ RAJESH KUMAR SON OF KARAN YADAV
VILLAGE- BILAUARI, PS- LAKHISARAI, DIST- LAKHISARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 62146 of 2023)

For the Petitioner/s : Mr.Mukesh Kumar

For the Opposite Party/s : Mr.Ram Sumiran Rai

(In CRIMINAL MISCELLANEOUS No. 69554 of 2023)

For the Petitioner/s : Mr. Tej Narayan Singh

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

6 20-02-2024

Heard learned counsel appearing on behalf

of the parties.

2. The petitioner seeks bail in connection with

Lakhisarai P.S. Case No.265 of 2023 registered for the offence under Sections 302/34 of the Indian Penal Code.

3. The allegation against the petitioner is to



have committed murder of the son of the informant.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case and name of the petitioner surfaced on the basis of suspicion as stated through statement of witness. It is submitted that the allegation against the petitioner is general and omnibus in nature. It is also submitted that there is land dispute between the parties. It is also submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence. It is further submitted that the petitioner is in custody since 17.04.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail, *after framing of the charge*, in connection with Lakhisarai P.S. Case No.265 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai.

7. The trial court is directed to conclude the



proceeding of framing of charge according to law within a period of 15 (fifteen) days from the date of receipt of a copy of this order. However, it is made clear that *if the charge-sheet has not been submitted* then the above named petitioner shall be released on bail on furnishing bail bond with further condition that the petitioner have to present physically on each and every date before the Trial Court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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