

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5572 of 2025

Arising Out of PS. Case No.-151 Year-2024 Thana- NIRMALI District- Supaul

Lalan Kumar Roy S/o Jaykant Roy, R/o vill - Kadmaha, Dhabghat, P.S. -
Supaul, Nadi Thana, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kumar Uday Bhanu Roy, Advocate Mr. Baleshwar Kamat, Advocate
For the Opposite Party/s	:	Mr. Chandra Sen Pd. Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 19-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Nirmali P.S. Case No. 151 of 2024 (G.R. No. 873 of 2024), FIR dated 26.08.2024, registered for the offences punishable under Section 109 of the B.N.S., 2023 and under Section 27 of Arms Act.

3. The prosecution case as emerges from the FIR is that the pillion rider of the motorcycle fired at the truck from the front and the bullet hit the *khalasi* of the truck.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that petitioner is not named in the FIR and TIP has not been conducted for identification of the accused. He further submits that only material against the petitioner is the so-



called confessional statement of the accused person given before the police when he was arrested in another case, which has no evidentiary value.

5. He further submits that the petitioner has been languishing in jail since 26.09.2024.

6. It has also been stated in paragraph no. 3 of the bail petition that the petitioner has earlier been made accused in one other case.

7. It has also been stated in paragraph no. 2 of the bail petition that the petitioner has not moved before this Court earlier either for anticipatory bail or regular bail.

8. However, learned APP for the State vehemently opposes the prayer of the petitioner for bail.

9. Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties on the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Birpur, Supaul, in connection with **Nirmali P.S. Case No. 151 of 2024 (G.R. No. 873 of 2024)** on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer / Court as and when required.

(ii) The petitioner will undertake that investigation /



trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the Court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

(iv) In case, it is brought to the notice of the Court below that the petitioner has criminal antecedents, other than the disclosed one, learned Court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the Court below that statement regarding previous bail petition is wrong, learned Court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

Ravi /
Shahnawaz/-

U		T	
---	--	---	--

