

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10727 of 2025

Arising Out of PS. Case No.-284 Year-2024 Thana- Sahayak Khajanchi District- Purnia

Lalu Kumar @ Lalu @ Retesh Kumar S/o- Late Ram Kumar Sah Resident of
Netaji Chowk, PS - Sahayak Khazanchi Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raj Kumar, Adv
For the Opposite Party/s	:	Mr. Navin Kr. Pandey, APP
For the O.P. No. 2	:	Mr. Bijendra Kumar Singh, Adv

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 23-07-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with

Sahayak Khazanchi P.S. Case No. 284 of 2024 registered for the

offences under Sections 103, 61(2) and 351(2) of the BNS.

3. The petitioner is named in the F.I.R. and is in

custody since 14.11.2024.

4. The allegation against the petitioner is to commit

murder of his brother-in-law along with other named co-accused

persons by inflicting knife injuries in the background of

matrimonial discord of deceased with sister of petitioner out of

which sister of petitioner committed suicide in her matrimonial

home.



5. Learned counsel appearing on behalf of the petitioner submitted that present case is purely based upon circumstantial evidence, where informant admittedly not the eye-witness of the occurrence. It is submitted that even during the course of investigation none of the prosecution witnesses identified this petitioner, while committing occurrence and out of previous enmity arising due to matrimonial discord between two families the present false implication was raised. While concluding the argument it is submitted that petitioner is a man of clean antecedent and, moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP duly assisted by learned counsel for the informant while opposing the prayer for bail submitted that trial in this matter already commenced with, where three prosecution witnesses examined out of six charge-sheeted witnesses.

7. Let be so, considering aforesaid facts and circumstances as mentioned above and by taking note of nature of accusations in the background of admitted previous enmity, coupled with the fact as petitioner is in custody since 14.11.2024, where charge-sheet has already submitted, accordingly, petitioner, above named, is directed to be released on bail in connection with



Sahayak Khazanchi P.S. Case No. 284 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea/concerned court, subject to the conditions as mentioned under Section 480(3) of the BNSS with further conditions:-

(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(ii) In case of any non-cooperation learned Trial Court shall be at liberty to cancel the bail bond of petitioner.

(Chandra Shekhar Jha, J.)

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