

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16083 of 2025

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

Sailendra Kumar @ Sailendra Singh S/O Shiv Kumar Singh @ Shivkumar
Singh R/O Village- Padum Bigha, P.S - Ben, District- Nalanda, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate

For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-03-2025 Heard Mr. Deepak Kumar, learned counsel for the
petitioner and Mr. Madan Kumar, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
04.12.2023, in connection with Laheri P.S. Case No. 682 of
2022, FIR dated 30.12.2022 registered for the offence under
Sections 25(1-b)a/26/35 of the Arms Act and Sections 399 and
402 of the Indian Penal Code.

3. According to prosecution case, when the S.I. of
Laheri P.S., Subodh Kumar along with his police team left for
patrolling, they entered into the bazar samiti from the west side
gate and saw that some persons are making a noise in the
constructive shop. To verify this, police team reached there and
saw that 5-6 persons are sitting there. After seeing the Police, all
the accused persons tried to run away but three persons were
apprehended and two persons fled away taking the benefit of



darkness. After searching the apprehended persons, police recovered a pistol and bullets from the possession Laxman Kumar and bullets are also recovered from the possession of other two accused. After inquiry, the apprehended persons disclose the name of the petitioner and said that they were making a plan for robbery.

4. Learned counsel appearing for the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case on the basis of the confessional statement of the co-accused person. He further submits that it appears from the FIR itself that the recovery have been made from the other co-accused persons and petitioner has been remanded in the present case from Laheri P.S. Case No. 166 of 2023 on 04.12.2023 and except the confessional statement of the co-accused person, no other cogent material has come during the investigation to suggest the involvement of the petitioner in the present occurrence. 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 04.12.2023.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and



submits that petitioner carries four more cases other than the present one but fairly submits on the basis of the paragraph no.3 of the bail petition that the petitioner is on bail in all the pending matters.

6. Considering the aforesaid facts, 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 C.J.M., Biharsharif, 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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