

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23725 of 2025

Arising Out of PS. Case No.-398 Year-2024 Thana- DALSINGHSARAI District- Samastipur

Lalan Kumar Son of Ganesh Kumar Mahto Resident of Village - Govindpur,
P.S.- Mansoorchak, District - Begusarai.

... .. Petitioner/s
Versus
The State of Bihar
... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 23895 of 2025

Arising Out of PS. Case No.-398 Year-2024 Thana- DALSINGHSARAI District- Samastipur

Harsit Raj S/o Rajan Kumar Resident of Village- Pagra, P.S.-Dalsingsarai,
District -Samastipur

... .. Petitioner/s
Versus
The State of Bihar
... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 26380 of 2025

Arising Out of PS. Case No.-398 Year-2024 Thana- DALSINGHSARAI District- Samastipur

Sunaina Devi Wife of Naresh Kumar Sah R/O Vill- Khokhsa, P.S.-
Dalsingsarai, District- Samastipur

... .. Petitioner/s
Versus
The State of Bihar
... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 23725 of 2025)
For the Petitioner/s : Mr.Dilip Kumar Roy, Advocate
For the Opposite Party/s : Mr.Raj Ballabh Singh, APP
(In CRIMINAL MISCELLANEOUS No. 23895 of 2025)
For the Petitioner/s : Mr.Bijay Bhushan Prasad, Advocate
For the Opposite Party/s : Mr.Ajay Kumar Jha, APP
(In CRIMINAL MISCELLANEOUS No. 26380 of 2025)
For the Petitioner/s : Mr.Anirudh Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA



ORAL ORDER

4 20-06-2025 Heard Mr.Dilip Kumar Roy, learned counsel for the petitioner (Cr. Misc. No. 23725 of 2025), Mr.Bijay Bhushan Prasad, learned counsel for the petitioner (Cr. Misc. No. 23895 of 2025) and Mr.Anirudh Kumar Sinha, learned counsel for the petitioner (Cr. Misc. No.26380 of 2025)and Mr.Raj Ballabh Singh, the learned A.P.P. for the State (Cr. Misc. No. 23725 of 2025), Mr.Ajay Kumar Jha, the learned A.P.P. for the State (Cr. Misc. No. 23895 of 2025) and Mr.Binod Kumar, the learned A.P.P. for the State (Cr. Misc. No. 26380 of 2025) respectively.

2. learned counsel for the petitioners is permitted to make necessary correction in para-4 of the bail petition (Cr. Misc. No. 23895 of 2025) in course of the day.

3. The petitioners seek bail in connection with Dalsingsarai P.S.Case No.398 of 2024, F.I.R. dated 24.12.2024 registered for the offence punishable under Section 103(1) and 3(5) of Bhartiya Nyay Sanhita 2023 and Section 27 of Arms Act.

4. Allegation against petitioner, namely, Lalan Kumar is that he assisted to provide arms to the husband of the deceased, allegation against petitioner, namely, Harsit Raj is that he provides arms to the husband of the deceased and allegation against petitioner, namely, Sunaina Devi is that she was



involved in the murder of the informant's daughter.

5. Learned counsel appearing for the petitioners submits that petitioner, namely, Lalan Kumar, carries two more cases other than the present one and he is on bail in both the cases. Petitioner, namely, Harsit Raj and petitioner, namely, Sunaina Devi have clean antecedent. They have falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioners have not committed any offence as alleged in the FIR. Further submits that one Anish Kumar was apprehended and he has confessed his guilt in the present occurrence and he has stated that he has purchased the arms through the petitioners, namely, Harsit Raj and Lalan Kumar and there is allegation against petitioner, namely, Sunaina Devi that she has conspired in the present occurrence and co-accused person, namely, Naresh Kumar @ Naresh Kumar Sah @ Naresh Sah has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 07.05.2025 passed in Cr. Misc. No.28328 of 2025 and the police, after investigation, submitted chargesheet against the petitioners and petitioners, namely, Lalan Kumar and Sunaina Devi are in custody since 27.12.2024 and petitioner, namely, Harsit Raj is in custody since 28.12.2024 respectively.



6. Learned APP for the State has opposed the prayer for bail of the petitioners.

7. Considering the aforesaid fact, co-accused person has confessed his guilt in the present occurrence and co-accused person, namely, Naresh Kumar @ Naresh Kumar Sah @ Naresh Sah has been granted bail by a Coordinate Bench of this Hon'ble Court, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Dalsinghsarai, Samastipur in connection with Dalsinghsarai P.S.Case No.398 of 2024, with the following conditions:-

(I) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at



any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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)

Nitesh/-

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