

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28024 of 2025

Arising Out of PS. Case No.-32 Year-2025 Thana- LAKHISARAI District- Lakhisarai

Rajeev Kumar @ Soni Son of Kapil Saw @ Kapildev Prasad Resident of
Prabhat Chowk, Ward No.- 09, P.S.- Lakhisarai, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhumay Madhup, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 07-05-2025 Heard Mr. Madhumay Madhup, learned counsel for
the petitioner and Mr. Murli Dhar, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Lakhisarai P.S. Case No. 32 of 2025 for the offence under sections 191(2), 191(3), 190, 126(2), 115(2), 109, 352 of the B.N.S. and Section 27 of the Arms Act, lodged on 27.01.2025 by the informant, Deepak Kumar.

3. As per the prosecution story, the informant alleged that the land which he has taken, some people have come claiming it to be their home. As he reached the place, the allegation is that Raj Kumar opened fire causing injury to the informant while Ram Ritesh Kumar opened fire causing injury to Juber Mian. This led to the FIR.

4. Learned counsel for the petitioner submits that



admittedly the main allegation is against Raj Kumar of opening fire on the informant while Ram Ritesh Kumar opened fire on Juber Mian. The petitioner herein is part of the mob, no role has been assigned to him, however, he concede that the petitioner has criminal antecedent.

5. Learned APP opposes the prayer submitting that he was also part of the group.

6. Taking into account the submissions of the parties as also that allegation mainly is against Ram Ritesh Kumar and Raj Kumar of opening fire, this petitioner has been assigned role of being part of the mob, an undertaking has been given that he shall be diligently appear in the trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate at Lakhisarai in connection with Lakhisarai P.S. Case No.32 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

anand/-

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