

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29084 of 2025

Arising Out of PS. Case No.-163 Year-2024 Thana- JADIA District- Supaul

=====

Laltu Kumar @ Laltu S/o Mahesh Sah Resident of Village- Mayurwa, Ward
No. 01, P.S.- Triveniganj, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Adv.

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 08-07-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Jadia
P.S. Case No. 163 of 2024 instituted for the offences under
Section 309(6) of the B.N.S., 2023 and Section 27 of the Arms
Act.

3. As per prosecution case, three motorcycle-borne
miscreants stopped the motorcycle of the Informant's brother
and, on the point of weapon, snatched a purse containing Rs.
4,500/-, Aadhar card, documents of the motorcycle as also
mobile from him. It is also alleged that when the Informant's
brother tried to save himself, the accused persons fired upon
him due to which he sustained fire-arm injury over his hand.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case with false and frivolous allegations only on the basis of suspicion. The name of the petitioner has transpired in this case on the basis of the confessional statement of the co-accused Manjesh Kumar before the police which has no evidentiary value in the eye of law. No T.I.P. has been conducted by the police till date. Learned counsel for the petitioner further submits that there is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature. Nothing incriminating/looted article has been recovered from the physical/conscious possession of the petitioner. There is no eye-witness to the alleged occurrence. The petitioner has one criminal antecedent in which he is on bail and is languishing in judicial custody since 12.12.2024 without any rhymes or reason. Charge-sheet has been submitted in this case. He further submits that the co-accused Manjesh Kumar has already been granted bail by this Court vide order dated 21.03.2025 passed in Cr. Misc. No. 87613 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner,



stating that the offence alleged against the petitioner is serious in nature. He further submits that Para 41 of the case diary contains the confessional statement of the petitioner in which he has confessed his guilt of being involved in the alleged occurrence. Para 41 of the case diary contains the confessional statement of the co-accused Manjesh Kumar in which he has confessed his guilt and has also named the present petitioner of being involved in the alleged occurrence. The injury report supports the prosecution case and, hence, the petitioner does not deserve bail.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail, ***after framing of charge if not already framed***, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Jadia P.S. Case No. 163 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

rishi/-

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

