

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32116 of 2025

Arising Out of PS. Case No.-21 Year-2024 Thana- LALGANJ District- Vaishali

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Lalan Kumar Son of Hari Kishun Sahni R/O Village - Purainiya, P.S.-
Lalganj, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rina Sinha Mr.Dhirendra Prasad Sinha Mr. Risham Kumar
For the Opposite Party/s :		Mr.Satyendra Narayan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 20-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Lalganj
P.S. Case No. 21 of 2024 registered for the offence punishable
under Sections 302/34 of the Indian Penal Code and Sections
25(1-b)a, 26/27/35 of the Arms Act.

3. As per the F.I.R., on 27.01.2024 at about 04:30
P.M. while the deceased was talking with his friends, four
unknown miscreants on two bike came and fired
indiscriminately at the brother of the informant (deceased). On
getting information, the informant reached at the place of
occurrence and took his brother to the clinic of Dr. Basant
Kumar from where he was referred to Sadar Hospital where the



brother of the informant was declared brought dead.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the F.I.R. has been lodged against four unknown persons. The petitioner has been made accused only on the basis of confessional statement of the co-accused Golu Kumar. It is submitted that the petitioner has no concern with the said two motorcycle alleged to be used in the said crime. Except the confessional statement of co-accused, there is no material against the petitioner. Petitioner is in custody since 30.06.2024.

5. Learned Additional Public Prosecutor appearing on behalf of the State has vehemently opposed the prayer for bail. He submits that petitioner has got two criminal antecedent.

6. Considering the aforesaid facts and the circumstances, let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur / concerned court in connection with Lalganj P.S. Case No. 21/2024, subject to the following conditions:-(i) that the petitioner shall co-operate in the trial and shall be properly



represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse (iv) that 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 (v) that the petitioner will appear before the SHO of concerned PS in the first week of each month till the framing of charge in this case.

(Khatim Reza, J)

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