

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34378 of 2025**

Arising Out of PS. Case No.-120 Year-2024 Thana- SAHEBPUR KAMAL District-
Begusarai

Lalan Jha @ Lallan Jha @ Lallon Jha S/o Bhaskar Jha R/o Village- Chauki
(Chouki), Ward No. 1, PS- Sahebpur Kamal, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate
For the State : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-06-2025 Heard the parties.

2. The petitioner is in custody in connection with Sessions Trial No. 176 of 2025 arising out of Sahebpur Kamal P.S. Case No. 120 of 2024 for the offence punishable under sections 341, 323, 307, 504 and 34 of the Indian Penal Code and section 27 of the Arms act and later section 302 of the Indian Penal Code has been added, lodged on 28.04.2024 by the informant, Parvati Devi.

3. As per the prosecution story, the informant alleged that there was a land dispute between her neighbor, Mritunjay Kumar Mishra, petitioner and one Deepak Kumar as also the agnates.

4. On 27.04.2024, the marriage ceremony was going



on at the house of Deepak Kumar, when it came to notice that Mritunjay Kumar Mishra, Lalan Jha and other accused persons have put the '*dera*' of Deepak Kumar on fire.

5. Later, when Deepak Kumar and others went to the place of Mritunjay Kumar Mishra to know why the '*dera*' was put on fire, allegation is that on the demand of Mritunjay Kumar Mishra, Lalan Jha brought country made pistol, handed over to him who made indiscriminate firing and the daughter-in-law of the informant who was watching the entire fight between the parties, got injury in her left temporal region. She was rushed to Sadar Hospital, Begusarai where after some time, she succumbed to the injuries. This led to the FIR.

6. Earlier, the petitioner moved before this Court in Cr. Misc. No. 80686 of 2024 which came to be rejected on 21.11.2024 and this is the second attempt.

7. Learned counsel for the petitioner submits that he is not the person who opened fire, though the allegation is that he facilitated the handing over of the alleged weapon to the assaulter, has no criminal antecedent and is in custody since 08.07.2024. Further, if granted relief, he shall be diligently appearing in trial.

8. Learned APP opposes the prayer for bail submitting



that he is the culprit who gave the weapon which led to the opening of fire causing death of innocent persons.

9. Though allegation is there, main role has been attributed to Mritunjay Kumar Mishra, allegation against him is that he brought the country made pistol and handed over to him, has no criminal antecedent, has remained in custody since 08.07.2024, an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of bail.

10. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Principal Sessions Judge, Begusarai, in connection with Sessions Trial No. 176 of 2025 arising out of Sahebpur Kamal P.S. Case No. 120 of 2024 subject to the following conditions:

(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 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)

vinayak/-

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

