

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.73627 of 2025**

Arising Out of PS. Case No.-121 Year-2024 Thana- HALAI District- Samastipur

Lakho Kumar S/o- Chotelal Ray Resident of Village- Chak Raman  
(Chakarmand) PS- Patory Distt- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Ms. Khushi Awadh

For the Opposite Party/s : Mr. Ram Bilash Roy Raman

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

2      08-12-2025                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner seeks bail in connection with Halai P.S. Case No. 121/2024 registered for the offences punishable under Sections 310(4) and 310(5) of the B.N.S. and Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. As per prosecution case, there is alleged recovery of one country made pistol, two live cartridges and one mobile phone from the possession of the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. The petitioner is languishing in custody since 09.11.2024, one year and one month has already been elapsed. The petitioner bears three criminal antecedents and he has been



roped in a case one after another in a routine manner. He further submits that no incriminating article has been recovered from the conscious possession of the petitioner. Charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence.

5. The learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner and submitted that the petitioner is FIR named accused and he cannot escape from the allegation made in the FIR.

6. Considering the facts and circumstances of the case, period of custody, charge sheet has already been submitted in this case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Samastipur in connection with Halai P.S. Case No. 121/2024, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the



affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(iv) Petitioner shall furnish mobile number at the time of furnishing bail bond and the said mobile number shall continue in operating condition till disposal of the case and he shall get his presence marked before the officer-in-charge of the concerned police station on the first Tuesday of every month.

**(Alok Kumar Pandey, J)**

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