

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79692 of 2024

Arising Out of PS. Case No.-49 Year-2024 Thana- GAURICHAK District- Patna

Lalan Kumar @ Lalan Rai Son of Suresh Ray Village- Gaurichak P.S.-
Gaurichak District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Narayan, Sr. Adv.
Ms. Sunidhi Vimal, Adv.
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 12-02-2025 Heard Learned Senior Counsel for the petitioner and
Learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Session Trial No. 1345/2024 arising out of Gaurichak P.S. Case
No. 49 of 2024 lodged under Sections 307, 302/34 of the I.P.C.
and Section 27 of the Arms Act.

3. Learned Senior Counsel for the petitioner submits
that the bail application of the petitioner has earlier been rejected
vide order dated 30.08.2024 passed in Cr. Misc. No. 45491 of
2024. It is further submitted that the bail application of the
petitioner was rejected with a liberty to renew the prayer for bail
after framing of charge. Counsel submits that the charge has
already been framed in this case on 18.10.2024. He submits that
on the previous occasion, stage of trial has been called for.

4. Learned counsel for the State opposes the prayer for
bail and submits that progress report has been called for. From



perusal of report, it transpires that charge has been framed but in spite of issuance of summon and bailable warrant, prosecution witness has not turned up.

5. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on being satisfied by the trial court that the petitioner is not absconding in the cases i.e. (i) Gaurichak P.S. Case No. 383/2023 (ii) Gaurichak P.S. Case No. 135/2020 which are pending against him, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-V, Patna City in connection with Sessions Trial No. 1345/2024 (arising out of Gaurichak P.S. Case No. 49/2024), subject to the following conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *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 bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned



police station every month for one year to mark attendance;

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

(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 the bail bonds.

6. It is hereby directed to the Superintendent of Police, Patna to look into this matter and he shall direct the concerned S.H.O. and I.O. of the said case to do the needful for producing of the witnesses in this case within nine months from the date of receiving of the order.

7. Registry is directed to communicate this order forthwith to the Sr. Superintendent of Police, Patna through e-mail, whatsapp or any other mode.

8. Learned A.P.P. of this case is also directed to communicate a copy of this order to the Sr. Superintendent of Police, Patna.

(Dr. Anshuman, J)

Gautam/-

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

