

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80803 of 2025

Arising Out of PS. Case No.-309 Year-2025 Thana- LAKHISARAI District- Lakhisarai

Lallu Kumar @ Lallu Kumar Son of Mannu Yadav @ Manu Yadav Resident
of Village- Garhi Bishanpur, P.S. and District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurabh Sinha

For the Opposite Party/s : Mr. Lalan Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 01-12-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Lakhisarai P.S. Case No. 309 of 2025 registered for the offence punishable under Sections 308(4), 352, 351(2), 3(5) of BNS, 2023 and Section 25(9) of the Arms Act.

3. As per prosecution case, the informant's nephew Gurmit Sagar has been continuously threatening the informant since 23.06.2025 through messages demanding ransom, tarnishing his image and threatening to kill him. It is further alleged that he 24 hours remains under the influence of intoxication and holds pistol. He has also uploaded his pictures along with the pistol on social media. It is further alleged that he has constituted a gang of bad elements including Gulshan



Kumar, Lallu Kumar, Alok Kumar, Vijay Kumar and Rahul Kumar. They all keep pistol with them.

4. Learned counsel for the petitioner submits that petitioner is quite innocent and there is no specific overt act as alleged in the FIR. It is further submitted that the petitioner is a *gotia* of the informant and on account of some dispute, he has falsely been implicated in the present case. In the initial version of prosecution story, only suspicion has been arisen out of the whole context. Apart from that, the petitioner has no criminal back ground and by lodging the FIR, it is made to show that petitioner is said to have a member of accused persons, though petitioner has nothing to do with the alleged group. He further submits that the petitioner has committed no offence as alleged in the FIR.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner and submits that the petitioner is one of the member of the alleged mob, which is stated by the informant and he cannot escape from the allegation made in the FIR.

6. Considering the facts and circumstances of the case, there is no specific overt act as alleged against the petitioner, keeping in view the clean antecedent of the petitioner,



arguments advanced on behalf of both the sides and also taking into consideration the materials available on record, the petitioner above named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Lakhisarai in connection with Lakhisarai P.S. Case No. 309 of 2025, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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