

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28721 of 2026**

Arising Out of PS. Case No.-299 Year-2024 Thana- MOTIHARI TOWN District- East  
Champaran

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Lalmohan @ Arjun kumar Son of Ramesh Sah Resident of village- Belisharay  
Patel Chowk, Ps- Town, Dist- East champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                          |   |                               |
|--------------------------|---|-------------------------------|
| For the Petitioner/s     | : | Mr. Abhishek Kumar, Advocate  |
|                          | : | Ms. Harsha Shashwat, Advocate |
| For the Opposite Party/s | : | Mr. Murli Dhar, APP           |

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      28-04-2026                      Heard Mr. Abhishek Kumar, learned counsel for  
the petitioner as well as Mr. Murli Dhar, learned Additional  
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since  
29.08.2025 in connection with Town P.S. Case No. 299 of 2024,  
F.I.R. dated 26.05.2024 for the offences punishable under  
Sections 307, 326, 34 of the Indian Penal Code and Section 27  
of Arms Act.

3. According to prosecution case, the informant  
alleged that on 26.05.2024 at about 7.30 A.M when he came to  
Hospital chowk for purchasing vegetable, then altercation took  
place with two accused persons for smoking cigarette and  
thereafter some people rescued him then all had gone to their



home. It is further alleged that eight co-accused along with the petitioner came back on motorcycle and when the informant was sitting with his mother at *Braham Baba Asthan* then the accused person started firing due to which informant's mother got injured by fire arm injury, thereafter, she was taken up for treatment.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. Although the petitioner is named in the FIR but from bare perusal of the FIR it appears that there is no specific allegation of assault or firing against him rather there is general and omnibus allegation against all the accused persons including the petitioner and for the same set of allegation, co-accused persons, namely, Devendra Sahani and Vikram Kumar @ Anil Kumar have been granted the privilege of bail by the co-ordinate Bench of this Court vide order dated 21.09.2024 and 24.01.2025 in Cr. Misc. No. 50038 of 2024 and Cr. Misc. No. 3202 of 2025. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 29.08.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and



submits that the petitioner carries six criminal antecedents other than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the pending matters.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Town P.S. Case No. 299 of 2024, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed 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. 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.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his



criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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