

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74648 of 2025

Arising Out of PS. Case No.-185 Year-2025 Thana- KAKO District- Jehanabad

1. Lalu Kumar @ Raju Kumar S/o- Devendra Prasad Resident of village- Ramji Kuer PS- Kako District-Jehanabad
2. Chandan Kumar S/o- Devendra Prasad Resident of village- Ramji Kuer PS- Kako District-Jehanabad

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Chandra, Advocate

For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 20-02-2026 Mr. Shashank Chandra, learned counsel for the petitioners submit that petitioner no.1 Lalu Kumar @ Raju Kumar has been arrested and as such he may be permitted to withdraw the petition against the petitioner no.1.

2. The anticipatory bail application is dismissed as withdrawn.

3. Heard Mr.Shashank Chandra, learned counsel for petitioner no.2 and the learned APP for the State.

4. The petitioner no.02, Chandan Kumar is apprehending arrest in connection with Kako P.S. Case No. 185 of 2025 instituted under Sections 126(2), 115(2), 109, 303, 352, 351(2), 3(5) of the Bhartiya Nayay Sanhita, 2023 lodged on



13.06.2025 by the informant, Surendra Kumar.

5. As per the prosecution story, the informant alleged that while he was sitting at his door, the accused persons including the petitioner no.1 came, the allegation is that both petitioner nos. 1 and 2 opened fire but it did not hit. As he started running, allegation of assault as also taking away the golden chain locket is/are there. This led to the FIR.

4. Learned counsel for the petitioner no.2 has taken this Court to the learned Sessions Judge order to show that it has been recorded that the case diary does not contain any injury report. He submits that allegation of opening fire is against two petitioners, ironically he escaped from the firing. There is no injury report on record either.

5. Learned APP opposes the prayer submitting that though he did not hit the informant, the allegation of firing is there.

6. Considering the submissions of the parties as also the observation of the learned Sessions Judge that injury report is not on record, in that background, this Court is inclined to extend the petitioner no.2, Chandan Kumar the privilege of anticipatory bail.

7. Let the petitioner no.2, Chandan Kumar be released



on bail, in the event of arrest or surrender before the concerned court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Kako P.S. Case No. 185 of 2025 to the satisfaction of learned Sub-Divisional Judicial Magistrate, Jehanabad subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner no.2, Chandan Kumar who shall provide official document (Aadhar Card/Driving License/Voter ID/Pan Card etc.) to show his/her bona fide;

(ii) The petitioner no.2, Chandan Kumar shall be appearing before the police station as and when required for cooperating in the investigation;

(iii) petitioner no.2, Chandan Kumar 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;

(iv) the petitioner no.2, Chandan Kumar shall appear before the concerned police station every fortnight for next six months to mark his attendance and at the end of the period a



certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(v) the petitioner no.2, Chandan Kumar 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;

(vi) petitioner no.2, Chandan Kumar 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)

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