

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22231 of 2020

Arising Out of PS. Case No.-60 Year-2016 Thana- ARWAL District- Jehanabad

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LALAN KUMAR Son of Chhotani Prasad Resident of Village- Maluka
Bigha, P.S.- Warsaliganj, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Smt. Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 03-09-2020 Heard learned counsel for the parties.

This application for regular bail arises out of Arwal P.S. Case No. 60 of 2016, S.Tr. No. 427/2017/ 46/2019, disclosing offence punishable under Section 395 of the Indian Penal Code.

Petitioner had earlier approached this Court for grant of regular bail, which was allowed by an order of this Court dated 06.07.2018, passed in Cr. Misc. No. 39487 of 2018. The petitioner has criminal antecedent of his involvement in various cases of grave nature, some of which has been mentioned in paragraph-3 of the application, which are as under :-

1. Kurtha P.S. Case No. 5/16, U/S 395

2. Hanumanganj P.S. Case No. 75/16, U/S 395



3. Ghoshi P.S. Case No. 168/16, U/S 395 IPC &
25(1-b)a/26/35 of the Arms Act

4. Rajgir P.S. Case No. 64/16 U/S 395 IPC

5. Dulhin Bazar P.S. Case No. 165/16 U/S 395 IPC &
25(1-b)a/26/35 of the Arms Act

Evidently, the petitioner jumped bail and he did not appear before the court below for a long time, because of which his bail bond stood cancelled. It further transpires that the petitioner was apprehended from his village in connection with Ghoshi P.S. Case No. 168 of 2016 on 11.02.2020 in which he was declared absconder and processes were issued under Section 82 of the Cr.P.C. After his arrest in the said Ghoshi P.S. Case No. 168 of 2016 he was remanded in the present case also, since the petitioner had misused the privilege of bail. After his arrest he again made a prayer for his release on bail, which was rejected by the court below.

Considering the gravity of the offences alleged against the petitioner in the present case and in so many other criminal cases as noted above, coupled with his conduct of misuse of privilege of bail in the present case and the fact that he was apprehended in another case after having been declared absconder, in my view, this is not a fit case for grant of bail. The



petitioner's conduct disentitles him from grant of such privilege.

This application is accordingly rejected.

It is directed that defects in the application pointed out by the Registry must be removed within two months from today.

Since there is a lockdown, the Court has considered it appropriate to adopt following procedure for communication of the present order:-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned court below through e-mail or any other appropriate electronic mode by the Registry.

Let steps be taken by the Registry for uploading of



the present order without compromising with the norms of
social-distancing.

(Chakradhari Sharan Singh, J)

Rajesh/-

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