

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27882 of 2020

Arising Out of PS. Case No.-328 Year-2019 Thana- KRITYANAND NAGAR District-
Purnia

=====

LALAN KUMAR YADAV @ LALAN YADAV Son of Sri Bhumi Yadav
Resident of Village- Pipara Bishanpur, K.Nagar, Police Station- K. Nagar,
District- Purnea (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Saket Tiwary

For the Opposite Party/s : Mr. A.G.

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-11-2020 The present petition has been taken up for consideration

through the mode of Video conferencing in view of the prevailing

situation on account of COVID 19 Pandemic, requiring social

distancing.

Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with K.
Nagar (Shrinagar) P.S. Case No. 328 of 2019 for the offence
registered under Sections 25(1-b)a, 26 and 35 of the Arms Act,
1959.

The allegation is regarding recovery of one country
made pistol and three cartridges from the possession of the
petitioner herein.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the



present case and he is languishing in custody since 31.08.2019.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the fact that the petitioner appears to be a veteran criminal/habitual offender inasmuch as he is an accused in four other cases of more or less similar nature, this Court finds that it would not be in the interest of society at large to grant bail to the petitioner herein. Reference in this connection be had to a judgment rendered by the Hon'ble Apex Court in the case of *Ash Mohammad vs. Shiv Raj Singh @ Lalla Babu & Anr.* reported in *(2012) 9 SCC 446*. Even on merits, this Court is of the view that considering the nature of allegation levelled against the petitioner herein, coupled with the fact that the petitioner is an accused in four other cases, no case is made out for grant of regular bail to the petitioner, hence the present petition stands dismissed.

(Mohit Kumar Shah, J)

S.Sb/-

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

