

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54393 of 2021**

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

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Lalan Kumar Yadav @ Lalan Yadav Son of Sri Bhumi Yadav Resident of
Village - Pipara Bishanpur, K. Nagar, P.S. - K. Nagar, District - Purnea
(Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate.

Mr. Saket Tiwary, Adv.

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

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 27-10-2021

Heard.

The present petition is by way of second attempt at the behest of the petitioner for grant of regular bail in connection with K. Nagar (Shrinagar) P.S. Case No. 328 of 2019 for the offence punishable under sections 25(1-b)a, 26 and 35 of the Arms Act.

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

The Ld. Senior counsel for the petitioner, Shri N.K. Agrawal, assisted by Shri Saket Tiwary, Advocate, has submitted that though, the petitioner had also approached the Hon'ble Apex Court by filing a Special



Leave Petition (Criminal) No. 6847 of 2020, but the same was dismissed, however, with liberty to the petitioner to renew his prayer for bail before the concerned court, after six months. It is submitted by the learned Sr. counsel for the petitioner that thereafter, the petitioner had moved the learned court below by filing a petition for grant of bail, however, the same has stood rejected by an order dated 24.08.2021 and this is how, the petitioner is now before this Court.

The learned Senior counsel for the petitioner has submitted that the petitioner is on bail in all the other criminal cases in which he has been made an accused, he has been suitably punished and as far as the present case is concerned, he is languishing in custody since 31.08.2019 i.e. since more than two years.

Per contra, the learned APP for the State, Shri Ashok Kumar, has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case and considering the fact that the petitioner has been granted bail in all the other four cases, in which he is an accused, coupled with the fact that the petitioner has been suitably punished in as much as he



is languishing in custody since more than two years, I deem it fit and appropriate to admit the petitioner to the privilege of regular bail.

Accordingly, the petitioner, above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in connection with K.Nagar (Shrinagar) P.S. Case No. 328 of 2019.

(Mohit Kumar Shah, J)

Tiwary/-

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