

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42840 of 2021

Arising Out of PS. Case No.-36 Year-2021 Thana- NAWADA MUFFASIL District- Nawada

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LALENDRA VISHWAKARMA @ LALO MISTRI @ LALO
VISHWAKARMA SON OF LATE LAKHAN VISHWAKARMA R/O
VILLAGE- KHALSA DHIBARI, NAWADA MUFFASIL, DISTRICT-
NAWADA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Deo Raj, Advocate

For the Opposite Party/s : Ms.Anita Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-02-2022 The instant case 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
Ms. Anita Kumari Singh, the learned APP for the State.

The petitioner seeks regular bail in connection with Nawada Muffasil PS case no. 36 of 2021 instituted for the offences punishable under Sections 25(1-b)(a)(b)(c)(e), 26(ii), 35 of Arms Act.

The allegation is regarding the police having caught the petitioner from his house while he was engaged in manufacturing one countrymade pistol and various other articles



used for manufacturing arms were also recovered.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 01.02.2021. The learned counsel for the petitioner has further submitted that the petitioner is an accused in one other case but he is on bail in the said case. It is next submitted that the petitioner is a Blacksmith by profession and all the articles recovered from the house of the petitioner would bear it out that he is engaged in the work of Ironsmith. It is also submitted that the petitioner has already been suitably punished on account of his period of custody already undergone.

Per contra, the learned A.P.P. 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 materials available on record as also considering the fact that the petitioner is stated to be a Blacksmith and most of the articles recovered from the house are used in the profession of Ironsmith apart from considering the period of incarceration of the petitioner herein, I deem it fit and proper to admit the petitioner to the privilege of



bail.

Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of C.J.M., Nawada in connection with Nawada Mufassil PS case no. 36 of 2021.

(Mohit Kumar Shah, J)

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