

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34178 of 2025

Arising Out of PS. Case No.-152 Year-2024 Thana- NIRMALI District- Supaul

Lalan Kumar Roy S/o Jaykant Roy R/o Vill.- Kadmaha, Dhabghat, P.S.-
Supaul Nadi Thana, Distt.- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baleshwar Kamat, Adv.

For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 01-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with S.T. No.
04 of 2025 arising out of Nirmali P.S. Case No. 152 of 2024,
(G.R. No. 876 of 2024) instituted for the offences under
Sections 310(4), 310(5) of the Bharatiya Nyaya Sanhita and
25(1-b)a, 26, 35 of the Arms Act.

3. On secret information regarding assembly of anti-
social elements, police party raided the spot and apprehended
the accused persons including the petitioner. There is recovery
of arms and ammunition and other articles from the co-accused
persons. It is further alleged that one mobile phone and one
country-made pistol loaded with three bullets of 7.65 bore have



been recovered from the possession of the petitioner.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the recovered arms and ammunition. It has been submitted on behalf of the petitioner that the petitioner is in custody since 28.08.2024 and has one criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nyaya Sanhita, 2023. Learned counsel for the petitioner further submits that the case has been committed to the court of learned Sessions Judge and charge has also been framed. The co-accused Indrajeet Yadav has already been granted bail by this Court vide order dated 16.01.2025 passed in Cr. Misc. No. 90119 of 2024. Co-accused Ramesh Sharma has also been granted bail by this Court vide order dated 14.02.2025 passed in Cr. Misc. No. 9866 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity as also the period of custody



undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with S.T. No. 04 of 2025 arising out of Nirmali P.S. Case No. 152 of 2024, (G.R. No. 876 of 2024).

(Rudra Prakash Mishra, J)

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