

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80389 of 2025

Arising Out of PS. Case No.-381 Year-2024 Thana- NATHNAGAR District- Bhagalpur

Lalan Yadav @ Lallan Yadav Son of Late Bablu Yadav, R/o Village-
Gosaidaspur, P.S.- Nathnagar, Dist.- Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Davendra Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-12-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Nathnagar P.S. Case No. 381 of 2024 dated 19.10.2024, registered for the offences punishable under Sections 132 and 109 read with Section 3(5) of the B.N.S., 2023 and Section 25(1-b)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, during an anti-liquor drive and for arrest of absconders, Police party signaled a motorcycle to stop. Three persons tried to escape after their motorcycle tumbled. Two of them fired upon the Police party, when it gave a chase to them. One of them was apprehended, who disclosed the name of this petitioner and other co-accused who fired upon the Police party.

4. Learned counsel appearing on behalf of the



petitioner submits that petitioner is innocent and he has falsely been implicated in the present case merely on suspicion. Except for the confessional statement of the co-accused, there is no material against this petitioner. The petitioner was neither present on the spot nor he was apprehended from the spot. Due to previous enmity, the arrested co-accused Kundan Kumar alleged that the petitioner opened fire and was having a country made pistol, but the allegation is false and the petitioner has no concern with the arms and ammunition seized from the spot. Learned counsel next submits that petitioner is having antecedent of four cases and he is on bail in all the cases and chargesheet has been submitted. Learned counsel lastly submits that petitioner is in custody since 13.07.2025.

5. Learned A.P.P. appearing on behalf of the State opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner was not apprehended from the spot and no recovery has been shown from this petitioner and also considering his period of custody and submission of chargesheet, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/-



(Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Bhagalpur / concerned Court, in connection with **Nathnagar P.S. Case No. 381 of 2024**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of non-appearance of the petitioner on single date or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

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