

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88573 of 2024

Arising Out of PS. Case No.-244 Year-2023 Thana- NAWADA MUFFASIL District- Nawada

Lalo Mistri @ Lalendra Vishwkarma Son of Late Lakhan Vishwakarma
Resident of village- Khalsa Dhibri Ps- Nawada Muffasil District -Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 14-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Nawada Muffasil P.S. Case No.-244 of 2023 pending from the Court of learned Additional Sessions Judge-IV, Nawada registered for the offence under Sections 25(1-AA) and 26 of the Arms Act.

3. As per the prosecution case, the informant along with other police official raided the house of the petitioner and recovered one country made pistol which was kept concealed under the bricks.

4. Learned counsel for the petitioner has submitted that petitioner has falsely been implicated in this case.



He next submits that the petitioner is in custody since 21.07.2023. He next submits that earlier the prayer for bail of this petitioner was rejected by this Court passed in Cr. Misc. No. 15418 of 2024 with an observation that “the trial court shall conclude the trial within a period of six months from the date of receipt of a copy of this order and if the trial is not concluded within the stipulated period, the petitioner may renew his prayer for bail before the trial and the trial court shall consider the prayer for bail of the petitioner and it also appears from the impugned order that that the period of six months has passed after passing of the said order but the trial has not yet concluded because of the reason that the case has only been committed to the court of Sessions on 14.11.2024 and trial has not begun as yet.”

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. On perusal of the first information report, seizure list and impugned order dated 26.11.2024, it appears that the trial is not concluded in near future as mentioned in the impugned order and petitioner is in custody for more than one year, so I am inclined to grant bail to the petitioner.

7. Accordingly, let the above named petitioner be



released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV, Nawada in connection with Nawada Muffasil P.S. Case No. 244 of 2023, now corresponding Sessions Trial No. 588 of 2024.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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