

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50896 of 2016

Arising Out of PS.Case No. -136 Year- 2016 Thana -VAISHALI District- VAISHALI(HAJIPUR)

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OM PRAKASH SHARMA @ OM PRAKASH, S/O Shyam Chandra
Sharma, R/O- Village- Sahtha, P.S- Bhagwanpur, District- Vaishali at
Hajipur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Niranjan Parihar, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 25-11-2016 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in custody since
16.06.2016 in connection with Vaishali P.S. Case No. 136/16 for
offences punishable under Sections 399, 402, 414 of the Indian
Penal Code and under Sections 25 (1-b), a, 26/35 of the Arms Act.

The prosecution case, as lodged by the police, is
that on intercepting a white colour Bolero vehicle, three persons
were arrested. From the possession of petitioner one country-made
pistol and one live cartridge and from the possession of one
Arvind Sahani one country-made pistol and one cartridge was
recovered.

It has been submitted by the learned counsel for
the petitioner that he is in custody since 16.06.2016 and charge-

sheet has already been submitted against him, hence, there is no chance of tampering with the evidence. He submits that co-accused Arvind Sahni has since been granted the privilege of bail by a Coordinate Bench of this Court on similar allegation in Cr. Misc. No. 45866 of 2016 on 21.10.2016.

However, learned APP for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Considering the facts and circumstances of the case and that a co-accused, on similar allegation, has been granted the privilege of bail, let petitioner, above named, be enlarged 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Vaishali P.S. Case No. 136/16.

(Nilu Agrawal, J.)

Rajesh/-

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