

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.5947 of 2016**

Arising Out of PS.Case No. -371 Year- 2015 Thana -SHASTRINAGAR District- PATNA

1. Pankaj Sharma @ Dharmendra Sharma @ Karan Son of Tripti Narain  
sharma Resident of Village- Madhuranpur, Police Station -Bidupur, District  
Vaishali, Presently resident of A.G.Colony, in the House of Nand Kishore  
Narain Sinhas's House No. 223, Police Station Shastrinagar, District Patna.

.... .... Petitioner

Versus

1. The State of Bihar ... .... Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay

For the Opposite Party/s : Mr. M.Dayal(App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA**  
**ORAL ORDER**

2 22-02-2016

Heard learned counsel for the petitioner and learned

counsel representing the State.

Petitioner seeks bail in connection with Shastrinagar P.S.

Case No. 371 of 2015 registered for the offences punishable under  
Section 414 of the Indian Penal Code and Sections 25(1-B)A,  
26/27 of the Arms Act.

Allegedly, the petitioner was caught with co-accused  
Shanker @ Mandwe @ Rahul Kumar and from bed beneath the  
pillow two country made pistols with cartridges were recovered  
and further one Hero Honda Splendor Black colour motorcycle  
without paper was recovered from there.

Submission is of false implication and that the petitioner  
has been made victim of circumstances, nothing has been  
recovered from conscious possession of the petitioner and he is

suffering in custody since 06.07.2015, the petitioner is involved in one more case i.e. Shastrinagar P.S. Case No. 360 of 2015 under Sections 307, 387/34 of the Indian Penal Code and Section 27 of the Arms Act and besides that he has got no criminal antecedent. Another co-accused Shanker @ Mandwe @ Rahul Kumar has already been allowed bail vide Cr. Misc. 50737 of 2015 and as such the petitioner also deserves sympathetic consideration.

Learned APP fairly submits that considering the period of detention now lenient view can be taken.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Indrani Kisku, J. M. Ist Class, Patna in connection with Shastrinagar P.S. Case No. 371 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

**(Jitendra Mohan Sharma, J)**

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