

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15642 of 2017

Arising Out of PS.Case No. -174 Year- 2016 Thana -ROSHANGANJ District- GAYA

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1. Ram Niwas Sharma @ Hanuman S/o Late Banke Sharma, Resident of
Village- Faridpur, P.S.- Ghosi, District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harendra Prasad

For the Opposite Party/s : Mr. Sri Zainul Abedin

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

3 01-05-2017 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with
Roshanganj P.S. Case No. 174 of 2016 registered for the offences
punishable under Sections 25(1-B)A, 26 and 35 of the Arms Act
and Section 17 of C.L.A. Act.

Allegedly, one loaded country made *Katta*, one live
cartridge and a mobile were recovered from possession of the
petitioner and the petitioner has got criminal antecedent also.

Submission is of false implication and that nothing has
been recovered from conscious possession of the petitioner. He
has been made victim of the circumstances. The petitioner is
suffering in custody since 19.12.2016. Other co-accused Shiv



Kumar Singh Bhokta has been allowed regular bail vide Criminal Miscellaneous No. 14609 of 2017 by another co-ordinate Bench of this Court and, as such petitioner also deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, the petitioner, above named, shall be released on bail **after completion of six months in custody** from the date of his remand on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Sherghati (Gaya) in connection with Roshanganj P.S. Case No. 174 of 2016 subject to the conditions that one of the bailors must be 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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