

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26999 of 2017

Arising Out of PS.Case No. -65 Year- 2017 Thana -PIRBAHOR District- PATNA

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Dilip Sharma, Son of Ram Dular Sharma, Resident of Sadar Gali, Mir
Gulabi Bagh, P.S. Khaje Kalan, District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aditya Nath Pandey

For the Opposite Party/s : Sri Anant Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

3 06-07-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody in connection with
Pirbahore P.S. Case No. 65 of 2017 registered for the offences
punishable under sections 25(1-B)/A/26/35 of the Arms Act.

The petitioner was apprehended by the Police during
the routine check at Bhikhnaphari Mahavir Lane More.

On perusal of the statement of the S.H.O., which form
part of the FIR, it appears that three persons seeing Police Jipsy
attempted to flee away but they were apprehended by the Police
and after their search, one country made pistol was recovered from
the possession of Gulshan Kumar and from the possession of the
petitioner Dilip Sharma, a country made pistol was also recovered



and from the possession of Deepak Kumar 23 live cartridges were recovered

The said Deepak Kumar was granted bail by this court in Cr. Misc. No. 26025 of 2017 vide order dated 5.7.2017

The submission of the learned counsel for the petitioner is that the petitioner is a man of clean antecedent and co-accused Deepak Kumar has already been granted bail by this Court in Cr. Misc. No. 26025 of 2017 on 5.7.2017 and as such, the petitioner also deserves bail on the ground of parity.

Having heard both side and considering the fact that the co-accused Deepak Kumar has already been granted bail by this Court in Cr. Misc. No. 26025 of 2017 on 5.7.2017 and there is statement on oath in paragraph 3 of this petition that the petitioner has no criminal antecedent and also the fact that the petitioner in custody since 18.02.2017, I am inclined to enlarge the petitioner on bail.

Let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Patna or Successor Court in connection with Pirbahore P.S. Case No. 65 of 2017, subject to the condition that the petitioner will extend full cooperation in conclusion of the trial and he will not, in



any manner, tamper with the evidence and influence the witnesses.

(Anil Kumar Upadhyay, J)

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