

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20063 of 2019

Arising Out of PS. Case No.-148 Year-2018 Thana- HULASGANJ District- Jehanabad

1. Manjeet Sharma @ Ranju, Son of Ram Bachan Sharma, Resident of Village-Mokimpur, Police Station-Hulasganj, District-Jehanabad.
2. Bablu Sharma, Son of Brijdeo Sharma, Resident of Village-Mokimpur, Police Station-Hulasganj, District-Jehanabad.
3. Brijdeo Sharma, Son of Late Ram Dahin Singh, Resident of Village-Mokimpur, Police Station-Hulasganj, District-Jehanabad.
4. Anil Sharma, Son of Bachan Sharma, Resident of Village-Mokimpur, Police Station-Hulasganj, District-Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-04-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are languishing in custody since 22.01.2019 in a case registered for the offences punishable under Sections 25(1-B)a/26/35 of the Arms Act.

The prosecution case, as per self statement of Md. Chand Parwej, Station House Officer of Hulasganj Police Station, is to the effect that on 04.08.2018, he received a secret information that there is tension between the two groups due to a dispute regarding land, the informant along with other police



personnel reached at village Mokimpur at 10.50 A.M. and received information that firing has been resorted to between two groups and after firing co-accused Manjeet Sharma, Bablu Sharma, Chandan Kumar, Brijdeo Sharma and Anil Sharma, the petitioners concealed the firearms in the heap of straw of co-accused Ganesh Sharma situated at the land of Suresh Sharma, in the under constructed house of Shankar Sharma and behind the house of petitioner no. 1 Manjeet Sharma. On search, the police recovered a police rifle, a pistol, 5 cartridges from the heap of straw, a bindoliya containing 8 live cartridges and 11 live cartridges behind the house of petitioner no. 1 Manjeet Sharma and a loaded rifle from the under constructed house of Shankar Sharma.

It is submitted by learned counsel for the petitioners that the recovery has not been made from the conscious physical possession of the petitioners and in the background of enmity with the agnates, the petitioners have been roped in the present case. Though, the petitioners are accused in three other cases at the behest of agnates.

Learned APP submits that the recovery has been made behind the house of petitioner no. 1

Considering the nature of recovery, particularly, from



the open area, let the above named petitioners be released on bail, on furnishing bail bond of Rs.10,000/- (Ten thousand) with each two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Jehanabad in connection with Hulasganj P.S. Case No. 148 of 2018.

(Dinesh Kumar Singh, J)

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