

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38104 of 2019

Arising Out of PS. Case No.-517 Year-2018 Thana- GARKHA District- Saran

Akshay Kumar Sharma Son of Shambhu Sharan Sharma Resident of Village-
Moti Rajpur, Dakhin Tola, P.S.- Garkha, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nawal Kishore Singh
For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 05-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
S. Tr. No. 160 of 2019 arising out of Garkha P.S. Case No. 517
of 2018 registered for the offence under Sections 399, 402 &
414 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35
of the Arms Act.

As per the prosecution case, on receiving secret
information, that some accused persons were planning to
commit crime, the informant and other police personnel
reached there. But seeing the informant, the accused persons
attempted to flee away but four persons including the petitioner
were arrested and on search, a loaded country made Katta and
live cartridge were recovered from this petitioner while recovery



was made from other accused also.

It is submitted by the learned counsel for the petitioner that petitioner has falsely been implicated in this case. Other co-accused who were also caught on spot, have been enlarged on bail vide order dated 20.05.2019, 1.4.2019 and 16.04.2019 passed in Cr. Misc Nos. 33024/19, 19455/19 and 24549/19, respectively. Petitioner has no criminal antecedent and he is in custody since 29.11.2018.

The application for bail is opposed by the learned APP for the State submitting that petitioner was arrested on spot with loaded country made Katta.

Having heard the learned counsel for the parties and considering the fact that other similarly situated co-accused have already been granted bail by the orders mentioned above, this Court is inclined to grant bail to the petitioner. The above named petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned 3rd Addl. Sessions Judge, Saran at Chapra in connection with S. Tr. No. 160 of 2019 arising out of Garkha P.S. Case No. 517 of 2018.

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(Partha Sarthy, J)

