

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 81056 of 2019**

Arising Out of PS. Case No.-187 Year-2019 Thana- KASIMBAZAR District- Munger

RAJ KISHORE SHARMA @ KISHORE SHARMA Son of Late Babu Chand
Mistri Resident of Village/Mohalla - Badi Mirzapur Puraniganj, P.S.- Kasim
Bazar, Distt - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjiv Kumar Singh

For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 10-12-2019 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks bail in a case registered under
Sections 25 (1-A), 25 (1-AA), 25 (1-b)a, 26, 35 of Arms Act.

It is submitted by the petitioner's counsel that the
recovery of unfinished arms and parts for manufacturing arms is
allegedly from co-accused Md Shamimuddin. Petitioner was
not even found at the place of recovery and his name has
surfaced because the co-accused has alleged that the petitioner
used to assemble the arms. Petitioner has no criminal
antecedents prior to the instant case. Upon such statement of
co-accused, he is in custody since 06.09.2019.

Learned APP for the State has opposed the prayer.



Considering the rival submissions, this Court is inclined to accept the submission of the petitioner's counsel.

Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Munger in Kasim Bazar Police Station Case No 187 of 2019 subject to the following conditions:

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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