

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26074 of 2020

Arising Out of PS. Case No.-262 Year-2019 Thana- RAGHOPUR District- Supaul

CHULHAI SHARMA @ GULAB SHARMA Son of Tej Narayan Sharma
Resident of Hulas Village, P.S.- Raghapur, District - Supaul.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra
For the State : Mr.Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-10-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of four weeks
after restoration of normalcy.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered under
Sections 399, 402, 353, 307, 414 of the Indian Penal Code and
25(1-b)a/26/35/27 of the Arms Act.

Allegedly, on the secret information of hiding the
miscreants involved in Muthoot Finance, Vaishali at Hajipur



reached to Hulas Village.. While the police reached near the residence of Chulhai Sharma (petitioner), the accused persons started firing. The police asked them to surrender and stop firing but the said people kept on firing. In self-defence, the police made counter firing. After stoppage of firing, police arrested three persons. It was known that some persons fled away.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. The petitioner is in custody since 11-12-2019. Charge sheet/Prosecution report in this case has already been submitted. The petitioner resides in a joint house. The motorcycle is said to have been recovered from the joint house of the petitioner. There is no recovery of any incriminating article from possession of the petitioner. There is no compliance of Section 100 of the Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on



furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Birpur (Supaul) in connection with Raghapur P.S. Case No. 262 of 2019.

(Sudhir Singh, J)

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