

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27840 of 2020

Arising Out of PS. Case No.-130 Year-2019 Thana- KOPA District- Saran

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BRIJ BIHARI SHARMA Son of Bhagwat Sharma Resident of Village-
Bhatwalia, Police Station- Kopa, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Srivastva, Adv.

For the Opposite Party/s : Mr. Kalyan Shankar, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 14-12-2020 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner seeks bail in a case registered for the
offence punishable under Section 188 of the Indian Penal Code
and Section 25 (1-b)a, 26, 35 of the Arms Act.

Prosecution case as lodged by the informant is that on
secret information that some illegal arms have been kept, a raid
was conducted. On seeing the police party one person started
fleeing away but he was arrested. On interrogation he disclosed
his name as Bhagwat Sharma. When the police asked about Brij
Bihari Sharma then arrested person replied that he is father of
Brij Bihari Sharma. It is further alleged that in presence of two
independent witnesses search was made and .315 bore rifle no.
09696 folder butt, Action gun of 12 bore no. 17PGN 01115



folder butt magazine, 17 live cartridges of .315, 55 live cartridges of 12 bore and one telescope have been recovered.

Learned counsel for the petitioner submits that he is innocent and has been falsely implicated in this case. He submits that the arms recovered from the house of the petitioner is his own licensee arms. He submits that the petitioner is a suspect of Marhowrah P.S. Case No. 596 of 2018 and only on that basis he has been implicated in this case. He further submits that petitioner is languishing in judicial custody since 10.01.2020.

In the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in connection with Kopa Police Station Case No. 130 of 2019.

(Anjani Kumar Sharan, J)

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