

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80042 of 2019

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

MUKESH SHARMA, aged about 32 years, M, S/o Satyanarain Sharma, R/o-
Mirjapur, P.S.- Kasim Bazar, Distt- Munger.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. N.K. Agrawal, Sr. Advocate, Mr. Amresh
Kumar Sinha, Advocate and Ms. Preety Kunwar,
Advocate.

For the Opposite Party : Mr.Satya Nand Shukla, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-03-2020 Heard learned senior counsel for the petitioner and
learned counsel for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 25(1-A), 25(1-AA), 25(1-b)a, 26 and
35 of the Arms Act.

The prosecution story, in brief, is that on confidential
information, the informant raided the house of Shamimuddin
and recovered one full made country made Carbine, one half
made country made Carbine, three(03) half made parts of
Carbine, one country made pistol and other instruments used in
making the arms. On interrogation, he disclosed that Mukesh
Sharma (petitioner) used to supply raw-materials to him and co-
accused Raj Kishore Sharma constructed the same. Mukesh



Sharma (petitioner) makes final finishing touch and used to supply to other persons. It is also alleged that others named accused are also involved in same work. Thereafter the house of the petitioner was raided from where he was not present and thereafter search was made. On search, one base machine, one country made pistol, two half made carbine, one full made carbine including Magazine, spring and other articles used in making and finishing was recovered. Thereafter house of Raj Kishore Sharma was searched and he was also not found there and in course of search, one base machine, one country made pistol including the tools used for making was found and seized.

It has been submitted by learned senior counsel for the petitioner that the petitioner is languishing in custody since 14.08.2019. The petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. One base machine, one country made pistol, two half made carbine, one full made carbine including Magazine, spring and other articles used in making and finishing are said to have been recovered from the house of the petitioner. There is no compliance of Section 100 of Cr. P.C.



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

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Munger in connection with Kasim Bazar P.S. Case No. 187 of 2019.

(Sudhir Singh, J)

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