

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28123 of 2021

Arising Out of PS. Case No.-567 Year-2019 Thana- PURNEA SADAR District- Purnia

Mithu Kumar Sharma S/O Dilip Sharma R/O Khushkibag, Chauhan Tola,
P.S.-SADAR, District-Purnea.

... .. Petitioner/s

Versus

THE SATTE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Bidhu Ranjan, Adv.

For the Opposite Party/s : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-12-2021 Heard.

The petitioner seeks regular bail in connection with
Sadar P.S. Case No. 567 of 2019 for the offence punishable
under Sections 25(1-b)a, 26 of the Arms Act.

The allegation is regarding the petitioner having been
arrested by the police whereupon one country made pistol along
with two live cartridges is alleged to have been recovered from
him.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case and is languishing in custody since 09.11.2019. The
learned counsel for the petitioner has further submitted that the
other case bearing Purnea Sadar P.S. Case No. 564 of 2019,
instituted under Sections 302/120B/34 of the Indian Penal Code
and 27 of the Arms Act, 1959, was also lodged against the



petitioner in continuation of the present case, however, the petitioner has already been granted bail in the said case vide order dated 15.01.2021 passed in Cr. Misc. No. 31837 of 2020.

Per contra, Shri Arun Kumar Singh, the learned APP appearing for the State has vehemently opposed the prayer for regular bail, made by the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the petitioner has been granted bail in the main case as also considering the period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned C.J.M., Purnea in connection with Sadar P.S. Case No. 567 of 2019.

(Mohit Kumar Shah, J)

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