

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40692 of 2020**

Arising Out of PS. Case No.-258 Year-2020 Thana- CHAINPUR District- Kaimur (Bhabua)

DHANEJ SHARMA son of GULLU SHAMA R/o village-Dih Bhujaina,
Police Station-Chainpur, District-Kaimur (Bhabua).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Sunil

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 24-02-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 16.08.2020 in connection with Chainpur P.S. Case No. 258/2020 registered for the offences punishable under Sections 25(1-b)a/25(1-aa)/35 of the Arms Act.

As per the prosecution case, while raid was conducted, co-accused Raju Singh was arrested with arms and ammunition who disclosed that the said arms and ammunition was purchased from this petitioner and upon disclosure of this petitioner, a raid was conducted and certain tools and articles which are used in manufacture of arms and ammunition were recovered from a hut.

It is submitted on behalf of the petitioner that petitioner has been falsely implicated in this case as no arms and ammunition have been recovered from the possession of the



petitioner which is evident from the seizure-list. Chargesheet has already been submitted in this case. Petitioner is in custody since 16.08.2020 and has got no criminal antecedent.

Considering the aforesaid facts and circumstances, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Additional Chief Judicial Magistrate, 2, Kaimur, Bhabhua, in connection with Chainpur P.S. Case No. 258/2020, subject to following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.

(2) If the petitioner tempers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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