

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15092 of 2022

Arising Out of PS. Case No.-424 Year-2021 Thana- JAMUI District- Jamui

Rajesh Mistri, S/o Beni Mistry R/o village- Khairi, P.S.- Tetarhar, Distt.-
Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 15579 of 2022

Arising Out of PS. Case No.-424 Year-2021 Thana- JAMUI District- Jamui

Devashish Kumar Sharma, S/o Late Balmukund Sharma Resident of Village-
Faujdari Bazar, P.S.- Qasim Bazar, Dist- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 15092 of 2022)

For the Petitioner/s : Mr. Prabhat Ranjan Singh

For the Opposite Party/s : Mr. Shailendra Kumar Singh

(In CRIMINAL MISCELLANEOUS No. 15579 of 2022)

For the Petitioner/s : Mr. Prabhat Ranjan Singh

For the Opposite Party/s : Mr. Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

5 12-09-2022 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners seek bail in connection with Jamui

P.S. Case No. 424 of 2021, dated 29.09.2021, registered

for the offences punishable under Sections 25 (1)a, 25(1-

AA), 25 (1-AC), 25(1-B)a, 25(1-B)c, 26 (i), (ii) and 35 of



the Arms Act.

The prosecution case as emerges from the F.I.R. is that when the informant/police entered into Maa Ambe Re-boring and Engineering Workshop at Jamui, they found the accused Brahamanand Sharma in possession of illegal countrymade pistol and accused, Devashish Kumar Sharma and Rajesh Mistri manufacturing pistols.

The learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. He also submits that they are not owner of the workshop and they are just employees there. He further submits that co-accused Brahamanand Sharma, who is the owner of the workshop, has already been enlarged on bail by the Court below.

It is also stated in paragraph no. 2 of the petition that the petitioner have never moved before this Court for grant of anticipatory bail or regular bail.

It has further been stated in paragraph no. 3 of the petition that the petitioners have no criminal antecedent.

However, the learned APP for the State opposes



the prayer for bail submitting that the alleged offence is serious in nature as they have been found manufacturing illegal arms which is prohibited by the Arms Act and which invites punishment of imprisonment for not less than 3 years but which may extend upto 7 years. He further submits that the case has been found to be true against the petitioners and charge-sheet has been submitted against him.

Considering the aforesaid facts and circumstances, particularly the material on record, including the seizure list, I am not persuaded to enlarge the petitioners on bail. The prayer for bail is rejected accordingly.

However, the Trial Court is directed to expedite and conclude the trial within a period of six months.

In case, the trial is not concluded within six months, the petitioners are at liberty to renew his prayer for bail.

The learned counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of



office objections.

(Jitendra Kumar, J)

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