

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24376 of 2021

Arising Out of PS. Case No.-230 Year-2020 Thana- PALIGANJ District- Patna

BIJENDRA SHARMA @ CHHOTU SHARMA @ CHHOTU SINGH @
RAJ KUMAR SON OF BAMESHWAR SHARMA @ BALESHWAR
SHARMA @ VAMESHWAR SHARMA RESIDENT OF VILLAGE- MERA,
POLICE STATION-KHIRIMORE, DISTRICT-PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay,Adv

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 05-01-2022 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Paliganj P.S. Case No. 230 of 2020 for the offence registered
under Sections 414/34 of the Indian Penal Code, Sections 25(1-
B), 26 and 35 of the Arms Act and Section 3 of the Explosive
Substance Act.

The allegation is regarding recovery of one country
made pistol and three live cartridges from the conscious
possession of the petitioner.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case and he is languishing in custody since 11.07.2020.



The learned counsel for the petitioner has further submitted that though the petitioner has been made an accused in seven other cases, however, he has been falsely implicated in the aforesaid cases.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also those available in the case diary, this Court finds that the complicity of the petitioner is writ large from the records and moreover he is an accused in seven other cases, which have been lodged for having committed serious offences, hence I do not find any merit in the present case. In this connection reference be had to a judgment rendered by the Hon'ble Apex Court, reported in (2012) 9 SCC 446 (Ash Mohammad vs. Shiv Raj Singh & Anr.). Accordingly, the present petition stands dismissed.

(Mohit Kumar Shah, J)

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