

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23323 of 2022

Arising Out of PS. Case No.-564 Year-2019 Thana- CHAPRA TOWN District- Saran

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Ram Prakash Sharma Son of Late Yaduveer Sharma Resident of Village -
Nath Kharsa, Niranjapur, P.S.- Mehandia, Distt.- Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar, Adv.

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 01-09-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Chapra Town P.S. Case No. 564 of 2019 lodged under Sections
420, 419, 467 and 468 of the I.P.C. read with Sections 29/30 of
the Arms Act.

As per the prosecution case, the allegation of
obtaining live cartridges from the arms license upon committing
and creating forge and fabricated documents is upon the
petitioner.

Learned counsel for the petitioner submits that he
is completely innocent and has committed no offence. He

submits that petitioner has not named in the F.I.R. The present F.I.R. has been lodged against one Dharmendra Tiwari. From the entire documents, it transpires that Dharmendra Tiwari has purchased the cartridges and inserted the mobile no. of the petitioner on the document for which he may not be found guilty.

He further submits that petitioner is in custody since 09.09.2021, charge sheet has already been filed in this case. On the point of his criminal antecedent, learned counsel submits that there are in total 3 criminal cases pending against the petitioner. Counsel for the petitioner submits that petitioner was on bail but subsequently his bail bond was cancelled due to misuse of his bail.

Learned counsel for the State submits that the entire forgery is used to be made by the present petitioner. It is the petitioner who used to obtain the live cartridges from the shop in the different names and this is the forgery he used to take. By his antecedent, it transpires that he is habitual of offender and in such cases bail may not be granted to him.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case

and the submissions made above, I am not inclined to grant bail to the petitioner at present but he may renew his prayer for bail one year after framing of the charge. Lower Court is directed to conclude the trial in the meantime.

With this observation, the bail petition is rejected.

(Dr. Anshuman, J)

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