

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34107 of 2021

Arising Out of PS. Case No.-158 Year-2020 Thana- DUMRA District- Sitamarhi

Pankaj Sharma S/o Sri Sonelal Thakur R/o village- Kesaria, P.S.- Dumra,
District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Virendra Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

2 06-01-2022 The applicant/accused in Crime No.158 of 2020 registered with Dumra Police Station for the offences punishable under Sections 25(1-b)a/26 of the Arms Act, by this application is seeking his release on bail during course of the trial.

Heard the learned counsel appearing for the applicant/accused. He submits that the applicant is behind bar from more than one year. The seizure memo is not bearing signature of the inmates of the house of the applicant.

The learned Additional Public Prosecutor opposed the application.

I have considered the submissions so advanced and also perused the materials placed before me.

On 23.05.2020, poultry form of the applicant was



raided and about 1455 liters of illicit liquor is stated to be seized. The applicant was not found to be present on the spot. Hence, his house was searched. The applicant managed to escape upon seeing the raiding party. Two country-made firearms are stated to be seized from his house apart from few bullets.

Investigation of the crime in question is over. The applicant has already undergone pre-trial detention of more than one year.

Considering the nature of the evidence against the applicant/accused, there is no other alternative but to release him on bail during pendency of the trial and hence, the order :-

i. The application is allowed.

ii. The applicant/accused in Crime No. 158 of 2020 registered with Dumra Police Station for the offence punishable under Sections 25(1-b)/26 of the Arms Act be released on bail on executing P.R. bond of Rs.15,000/- (Rupees Fifteen Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from



disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the appellant/accused.

(A. M. Badar, J)

Mkr./-

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