

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29622 of 2022

Arising Out of PS. Case No.-544 Year-2021 Thana- GHOSI District- Jehanabad

Sonu Kumar @ Sonu Sharma, Son of Shailesh Sharma, Resident of Village -
Ginji, P.S.- Ghosi, District - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 31-08-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect (s), if any, as pointed out by the office
be removed within four weeks from the date of resumption of
physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in
connection with Ghosi P.S. Case No. 544 of 2021 registered for
the alleged offences under Sections 25 (1-b) a and 26 of the
Arms Act.

As per the prosecution case, the police received secret
information about the petitioner, wanted in some other case,
coming to an identified place and when the police party reached
there, the petitioner tried to escape on foot leaving behind his
motorcycle. He was apprehended after chase. From search of



the motorcycle of the petitioner, a loaded country made pistol with four live cartridges were recovered.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from this petitioner. The firearms allegedly recovered from the motorcycle was a planted one and even the motorcycle does not belong to this petitioner. The learned counsel further submits that the charge sheet has been submitted on 20.02.2022 and the petitioner is in custody since 23.12.2021.

Learned A.P.P. opposes the prayer for bail submitting that the petitioner is a habitual offender.

Having regard to the facts and circumstances and submissions made hereinabove and considering the submission of charge sheet and the period of custody of the petitioner, he is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad, in connection with Ghosi P.S. Case No.544 of 2021, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :



(i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.

(ii) One of the bailors will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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