

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41087 of 2022

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

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Bijendra Sharma @ Chhotu Singh @ Bijendra Kumar @ Chhotu Sharma @
Raj Kumar @ Bijendra Singh S/o Bameshwar Sharma @ Baleshwar Sharma
R/o village- Mera, P.S.- Khirimore, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. P.N. Shahi, Sr. Adv.
Mr. Akhauri Kamal Kishore Sahay, Adv.
For the Opposite Party/s : Mr. Md. Matloob Rab, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-11-2022 The present petition is by way of 2nd attempt at the

behest of the petitioner for grant of bail in connection with
Sessions Trial No. 467 of 2021 (arising out of Paliganj P.S. Case
No. 230 of 2020), registered for the offence punishable under
sections 414/34 of the Indian Penal Code, Sections 25(1-B)a,
26, 35 of the Arms Act and section 3 of Explosive Substance
Act inasmuch as the earlier petition of the petitioner for grant of
regular bail was rejected by an order dated 05-01-2022 passed in
Cr. Misc. No.24376 of 2021.

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

The learned Senior Counsel for the petitioner submits



that the petitioner is languishing in custody since 11.07.2020. It is also submitted that not only there is no progress in the ongoing trial but a subsequent development has taken place so as to warrant consideration of the prayer of the petitioner for grant of bail inasmuch as he has now been granted bail in all the criminal cases in which he has been made accused, totaling 7 in number.

Per contra, the learned A.P.P. appearing 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 parties as also taking into consideration the materials available on record, this Court finds that the circumstances have undergone some change since the petitioner has now been granted bail in all the seven other criminal cases in which he is an accused and moreover, the period of incarceration of the petitioner also persuades this Court to consider the case of the petitioner for grant of bail positively. Consequently, I deem it fit and proper to grant the privilege of regular bail to the petitioner.

Accordingly, the petitioner, above-named is directed to be released on bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-III, Danapur,



Patna in connection with Sessions Trial No. 467 of 2021 (arising
out of Paliganj P.S. Case No. 230 of 2020).

(Mohit Kumar Shah, J)

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