

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49672 of 2021

Arising Out of PS. Case No.-102 Year-2021 Thana- BARHARA KOTHI District- Purnia

Vikash Kumar Sharma S/O Babulal Sharma R/O Village-Mugampatti, P.S-
Barhara, District-Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal

For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-03-2022 Heard.

The petitioner seeks regular bail in connection with Barhara (Raghubansnagar) P.S. Case No. 102 of 2021, registered for the offence punishable under sections 411/34 of the Indian Penal Code and Section 25(1-b)a, 26, 35 Arms Act.

The allegation is regarding the police force having intercepted one Scorpio vehicle, while the police party was on patrolling duty, whereafter search of the occupants of the said vehicle was conducted and as far as the petitioner is concerned, five live cartridges and one mobile phone was recovered from him and some arms/ ammunitions were recovered from some other co-accused persons.

The learned counsel for the petitioner has



submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 29.03.2021. The learned counsel for the petitioner has submitted that neither arms nor any looted articles have been recovered from the conscious possession of the petitioner.

Per contra, Mr. Akhileshwar Deyal, the learned APP 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 parties and taking into account the materials available on record as also considering the fact that no arms/looted articles have been recovered from the conscious possession of the petitioner and the petitioner is having a clean antecedent, apart from the fact that he is languishing in custody since 11 months, I deem it fit and proper to admit the petitioner to the privilege of regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Court of C.J.M.,



Purnea in connection with Barhara (Raghubansnagar)
P.S. Case No. 102 of 2021

(Mohit Kumar Shah, J)

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