

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71117 of 2021

Arising Out of PS. Case No.-104 Year-2021 Thana- NOKHA District- Rohtas

PANNA SHARMA Son of Keshar Sharma Resident of Village - Sisirta, P.S.-
Nokha, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pandey
For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 17-10-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

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

The petitioner seeks bail in connection with Nokha
P.S. Case No. 104 of 2021 registered for the offences punishable
under Sections 25(1-aa)/26(2) 35 of the Arms Act.

As per prosecution case, police recovered one
country made pistol, one misfired cartridge (0.315 bore), four
shotgun case (0.315 bore), several body parts of arms and
several articles which were used in the making of arms from the
house of petitioner. The petitioner is apprehended on spot while
two other accused persons managed to flee away.

Learned counsel for the petitioner submits that



petitioner is in custody since 05.07.2021. Petitioner bears no criminal antecedent. Learned counsel further submits that F.I.R. has been lodged against three persons and petitioner is one of them. Petitioner is an old man and suffering from various ailment. Nothing has been recovered from the possession of the petitioner. Only on the basis of confessional statement the petitioner has been implicated in the present case. It is evident that the alleged recovery has been made from the joint house of the petitioner. The petitioner belongs to the cast of “black-smith” and is running shop of the family members of the petitioner.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, keeping in view clean antecedent of the petitioner, argument advanced on behalf of the parties and also taking into consideration the material available on record, let the petitioner above named be released on bail after framing of charge on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Sasaram at Rohtas in connection with Nokha P.S. Case No. 104 of 2020,



subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

amitkr/-

U		T	
---	--	---	--

