

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30378 of 2023

Arising Out of PS. Case No.-82 Year-2022 Thana- KIUL RAIL P.S. District- Lakhisarai

Omprakash Sharma S/O Krishnandan Sharma Resident Of Village-
Shivnarayanpur Under P.S.- Kahlgown, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Anand, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 12-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks regular bail in connection with
Rail Kiul P.S. Case No. 82 of 2022, registered for the offences
punishable under Section 414 of the Indian Penal Code and 25
(1-B), 26 and 35 of the Arms Act.

As per the prosecution case, during patrolling duty at
railway station four persons tried to flee away after seeing the
police force. On suspicion, informant along with police
personnel chased them but two persons succeeded to flee away
and remaining two persons i.e. petitioner and co-accused Anuj
Kumar Singh caught by the informant. On search, from the
pocket of petitioner, 315 bore live cartridge with cash Rs. 450/-
contained in purse and one silver ring, one Samsung mobile and



from other accused person, namely, Anuj Kumar Singh, one Samsung mobile with cash Rs. 300/- was found.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. Except one live bullet no other incriminating article has been recovered from the possession of the petitioner. He further submits that similarly situated co-accused person, namely, Pappu Kumar Sah has been granted bail by the Coordinating Bench of this Court vide order dated 30.01.2023 in Criminal Misc. No. 70231 of 2022 and another co-accused person, namely, Anuj Kumar Singh has already been granted bail by learned Court below vide order dated 16.09.2022 in B.P. No. 1822 of 2022. Charge-sheet has already been filed. There is no chance of absconding of the petitioner and tampering with the evidence. Petitioner has no criminal antecedent and is in jail custody since 04.08.2022.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Considering the facts and circumstances of the case let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned



Railway Judicial Magistrate, Kiul in connection with Rail Kiul
P.S. Case No. 82 of 2022.

(Sunil Dutta Mishra, J)

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