

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44803 of 2023

Arising Out of PS. Case No.-14 Year-2023 Thana- ALOULI District- Khagaria

SHUSHIL SHARMA @ SUSHIL KUMAR Son of Late Bhikhari Sharma
Resident of village - Ahuna, P.s. - Allouli (Bahadurpur), Distt. - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar
For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 25/1-AA/26(i)(ii)/35 of Arms Act.

3. Prosecution case relates to recovery of two semi constructed pistols, two live cartridges and drill like tools from a maize field.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. The said recovery has been made from an open field, which which petitioner has no concern. Petitioner was not arrested on spot. His name transpired at the instance of local choukidar. Provision of Section 100 CR.P.C. has not been followed by the police



officials while preparing the seizure list. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 8.6.2023 passed in Cr. Misc. No. 29304 of 2023. Petitioner is languishing in judicial custody since 20.01.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned CJM, Khagaria in connection with Allouli PS Case No. 14 of 2023.

(Sunil Kumar Panwar, J)

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