

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48400 of 2023

Arising Out of PS. Case No.-336 Year-2019 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

=====

Rahul Sharma Son Of Vidyanand Sharma @ Bidyanand Sharma R/O-
Mohaniya, P.S.-Bakhtiyarpur, (Balwahat At O.P.), Distt.-Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Pramod Mishra
For the Opposite Party/s : Mr.Ram Naresh Ray

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 25(1-b)a,
26, 35 of Arms Act.

According to the FIR, prosecution case relates to
recovery of one country made pistol along with six live
cartridges from possession of co-accused Kartik Sharma who
disclosed the name of the petitioner.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. The petitioner has no
concern with the alleged arms which was seized by the police.



The alleged recovery has been made from possession of co-accused Kartik Sharma who has already been granted bail by a co-ordinate Bench of this Court vide order dated 17.2.2021 passed in Cr. Misc. No. 34239 of 2020. It is further submitted that the petitioner is languishing in judicial custody since 20.3.2021.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bakhtiyarpur P.S. Case No. 336 of 2019 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa.

(Sunil Kumar Panwar, J)

Amandeep/-

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

