

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 76893 of 2023**

Arising Out of PS. Case No.-49 Year-2016 Thana- PURNAHYA District- Sheohar

Vikash Jha @ Kaliya Son Of Subodh Jha Resident Of Village Bathnaha P.S  
Bathnaha District Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Vikash Kumar Jha  
For the Opposite Party/s : Mr.Anish Chandra

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      04-12-2023                      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(1b)(a), 25(1A), 26(ii) and 35 of the Arms Act.

3. As per allegation in the FIR, accused of Baheri PS Case No. 270 of 2015 during interrogation, disclosed that arms used in the commission of crime were stealthily kept at the house of co-accused Vijay Kumar, Aditya Kumar Trivedi and Sanjay Jha. He further disclosed that at the direction of veteran Santosh Jha, the arms were kept at the alleged place the petitioner and Nikesh Dubey with help of accused Prabhakar Mishra. At his instance, a pistol and cartridges were recovered from the house of accused Vijay Kumar. From possession of



accused Sanjay Jha, one automatic weapon with magazine and 25 cartridges were recovered. From house of Aditya Kr. Trivedi, prohibited weapon and cartridges were recovered.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. Nothing has been recovered from possession or from the house of the petitioner. The said recovery has been made from other co-accused persons, namely, Vijay Kumar, Sanjay Jha who have already been enlarged on bail vide order dated 4.2.2017 passed in Cr. Misc. No. 2562/2017 and 29.11.2019 passed in Cr. Misc. No. 75605 of 2019 respectively and the case of the petitioner stands on better footing to that of the co-accused. Petitioner is languishing in judicial custody since 8.7.2021.

5. The application for bail is opposed by learned APP for the State and submitted that petitioner is a notorious man and he is having criminal antecedent of 22 criminal cases of like nature..

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  
Additional Sessions Judge III, Sheohar in connection with  
Purnahiya P.S. Case No. 49 of 2016.

**(Sunil Kumar Panwar, J)**

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