

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74316 of 2022

Arising Out of PS. Case No.-507 Year-2022 Thana- KONCH District- Gaya

MANTU SHARMA S/o Uday Sharma R/v- Amari, P.S.- Upahara, District-
Aurangabad

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar
For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-02-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Konch P.S. Case No. 507 of 2022, registered for the offence punishable under Sections 147/148/149/307/353/337/427/332/504 of the Indian Penal Code, Sections 25(1-b)a/26/35 of the Arms Act and Section 37(2)/45 of the Bihar Prohibition and Excise Amendment Act, 2018.

The allegation is regarding the police having received an information that a person was dancing on the stage, brandishing a pistol, during the course of performance of dance programme



by girls at the ground of Sun Temple, whereupon the informant along with his police force had arrived at the said place of occurrence and had arrested the petitioner and upon breath analyzer test having been conducted, he was found to have consumed liquor.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 2.11.2022. The learned counsel for the petitioner has further submitted that though the petitioner is an accused in one another case, but he is on bail in the said case. The learned counsel for the petitioner has further submitted that the petitioner has been falsely implicated in the present case on account of village politics.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the



petitioner and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged 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 Exclusive Excise Court No. 1, Gaya in connection with Konch P.S. Case No. 507 of 2022.

(Mohit Kumar Shah, J)

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