

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11515 of 2024

Arising Out of PS. Case No.-101 Year-2023 Thana- ANDHRAMATH District- Madhubani

Manoj Sharma S/O Suray Narayan Sharma R/O Village- Dighiya, P.S-
Nirtmali, Dist.- Supaul (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti, Adv.

For the Opposite Party/s : Mr.Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 23-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Andhramath P.S. Case No. 101 of 2023 instituted for the
offences under Section 25(1-b)a, 26 of the Arms Act.

3. As per prosecution case, the police, on receipt of
secret information, reached at the place of occurrence. On
seeing the police-party, the accused person tried to flee away
from there but, was apprehended by the police. On query, he
disclosed his name as Manoj Sharma (the petitioner). On search,
one loaded country made pistol along with one live cartridge
was recovered from his waist.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case due to village politics. He further submits that none of the independent witnesses have supported the case of the Informant. The petitioner has altogether 18 criminal antecedents. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner is in custody since 05.07.2023. No specific overt act is alleged against the petitioner.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the entire facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Andhramath P.S. Case No. 101 of 2023, subject to the following conditions;

(i) One of the bailors shall be own/close member of the family of the petitioner.

(ii) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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