

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8680 of 2024

Arising Out of PS. Case No.-275 Year-2023 Thana- SAUR BAZAR District- Saharsa

Jawahar Sharma Son of Late Bhumilal Sharma @ Bhogi Sharma R/O-Pama,
Ward No. 11, P.S.-Sour Bazar (Patarghat O.P.), Distt.-Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Surendra Mohan, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 20-02-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Saurbazar P.S. Case no.275 of 2023 registered under sections 25(1-A), 25(1-AA), 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per the prosecution case, on secret information having been received about manufacture of illegal arms in the house of Fulwa, it is stated that a raid was conducted from where three accused person namely Fulwa, Shambhu Kumar Mandal and the petitioner were arrested. The various articles, details of which have been given in the FIR were recovered.

4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the



case. The alleged recovery is not from the possession of the petitioner but from the house of Fulwa. Coaccused Fulwa and Shambhu Kumar Mandal have been enlarged on bail vide orders dated 3.11.2023 passed in Cr. Misc. no.68818 of 2023 and dated 15.1.2024 passed in Cr.Misc. no. 85624 of 2023 respectively. The petitioner is in custody since 29.5.2022 and has no criminal antecedent.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., grant of bail to the above named two coaccused vide orders brought on record as Annexures-2 series, the petitioner having remained in custody since 29.5.2023 and specially the petitioner not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Sour Bazar P.S. Case no. 275 of 2023 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II, Saharsa.

(Partha Sarthy, J)

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