

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25079 of 2024

Arising Out of PS. Case No.-507 Year-2023 Thana- PARBATTa District- Khagaria

NIKHIL SHARMA S/O KAILASH SHARMA @ KAILU SHARMA @
GANESH SHARMA R/O VILAGE- DUMARIYA BUJURG, P.S- PAR-
BATTa, DISTT.- KHAGARIA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh

For the Opposite Party/s : Mr.Yogendra Kumar

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 04-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Parbatta
P.S. case No. 507 of 2023 instituted for the offences under
Section 25(1-A), 25(1-AA), 25(1-B)A, 26(i)(ii)(iii), 35 of the
Arms Act and Section 414 Indian Penal Code.

3. Prosecution case, in short, is that there is recovery
of two country made pistols, five live cartridges, 16 bullet and
other articles from the house of one, Kailu Sharma.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. The
petitioner has no concern with the alleged recovery and he is
son of the co-accused, Kailu Sharma due to which he has been



made accused in this case. Nothing incriminating article has been recovered from the conscious possession of the petitioner. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 06.11.2023, and has no criminal antecedent. There is no compliance of Section 100 of the Cr.P.C..

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

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner and fair criminal antecedent, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Parbatta P.S. case No. 507 of 2023.

(Rudra Prakash Mishra, J)

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