

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31473 of 2024

Arising Out of PS. Case No.-306 Year-2023 Thana- RAGHOPUR District- Supaul

Sushil Kumar Sharma S/o Sri Arun Sharma Resident Of Village Mithai Ward
No 6 PS and District Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Singh, Advocate

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 19-07-2024 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Raghopur P.S. Case No. 306 of 2023 lodged on 12.08.2023
under Sections 25(1-B)a, 26/35 of the Arms Act.

3. As per the prosecution case, the FIR has been
lodged against two named accused persons, including the
present petitioner. It is alleged that one country-made pistol
along with four live cartridges were recovered from the
possession of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
antecedent of the petitioner is not clean as four more criminal
cases were pending against him and due to this reason, the
police have implicated him in this case under a conspiracy. The
petitioner is in custody since 13.08.2023. Learned counsel for



the petitioner further submits that on an earlier occasion, case diary has been called for. In the case diary, nothing incriminating has come against the petitioner save and except which has been alleged in the FIR.

5. Learned counsel for the State opposes the prayer for bail and submits that the petitioner is accused of the Arms Act and is in custody for about 11 (eleven) months.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be released on bail, **but only after framing of charge, if already not framed as well as the trial Court on being satisfied that the petitioner is not absconding in Bhaptiyahi P.S. Case No. 131 of 2018; (ii) Raghapur PS Case No. 220 of 2023; (ii) Barahat P.S. Case No. 796 of 2019 and (iv) Barahat P.S. Case No. 797 of 2019**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-1, Birpur Supaul, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

(Dr. Anshuman, J)

Ashwini/-

U		T	
---	--	---	--

