

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31092 of 2024

Arising Out of PS. Case No.-303 Year-2023 Thana- SAHEBGANJ District- Muzaffarpur

Raju Sharma S/o Ram Janam Thakur @ Ram Janam Sharma R/o vill-
Vishambharpur, P.s. - Sahebganj, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar

For the Opposite Party/s : Mr.Pramod Kumar Pandey

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

ORAL ORDER

2 24-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sahebganj P.S. Case No. 303 of 2023 instituted for the offences
punishable under Sections 392 and 412 of the Indian Penal
Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. As per prosecution case, there has been recovery of
one loaded country-made pistol and one live cartridge from the
possession of the petitioner.

4. Learned counsel for the petitioners submitted that
the petitioner has falsely been implicated in the present case.



Charge-sheet has been submitted in this case. The petitioner has no concern with the alleged arms and cartridges, which were seized by the police. Only on the basis of suspicion, petitioner has been implicated in the present case by the police due to his criminal antecedents. The provision of Section 100 of the Cr.P.C. has not been followed in this case while preparing the seizure list. The petitioner is in custody since 07.07.2023 and he has two criminal antecedents.

5. Learned APP 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 well as the period of custody undergone by the petitioner, 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 Sahebganj P.S. Case No. 303 of 2023, Subject to 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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