

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67300 of 2023**

Arising Out of PS. Case No.-259 Year-2022 Thana- KASIMBAZAR District- Munger

Babloo Sharma S/O Ashwani Sharma R/O Village/Mohalla House Of Madan Yogi Sandalpur (RENTED House) Permanent Address- Maniachouraha Near Of Bishwakarma Temple, Ps. Kasim Bazar, P.O. Munger, Dist. Munger Pin No. 811201

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manendra Kumar Sinha

For the Opposite Party/s : Mr.Brajendra Nath Pandey

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 05-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is languishing in custody in a case registered for the offences punishable under Sections 25(1-A), 25(1-AA), 25(1-B) a, 26(i)(ii), 35 of the Arms Act.

It is alleged that the informant, upon receiving information that one Dablu Kumar Sharma is running a mini gun factory in a rented house of one Madan Yogi, had gone to the said place of occurrence along with his police force and had arrested Dablu Kumar Sharma,



whereafter a search was conducted in his house and huge quantity of articles used in manufacturing of illegal arms were seized. It is also alleged that the petitioner is the brother of said Dablu Kumar Sharma and he is running the said mini gun factory, jointly with brother Dablu Kumar Sharma.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. The petitioner was not apprehended from the spot. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern either with the seized arms. Similarly situated co-accused has been granted bail by a coordinate Bench of this Court vide order dated 24.06.2023 passed in Cr. Misc. No. 23162 of 2023. The petitioner is languishing in custody since 14.08.2023. A statement has been made in para 3 of the petition that petitioner is accused in one other case apart from the present one.



In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger in connection with Kasim Bazar P.S. Case No. 259 of 2022.

(Sunil Kumar Panwar, J)

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