

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83177 of 2023

Arising Out of PS. Case No.-58 Year-2023 Thana- BIND District- Nalanda

SHARVAN KUMAR @ SHARMA JI @ SHARMANI S/O NAGENDRA
RAM R/O VILLAGE- DURJANCHAK, P.S- SAKSOHARA, DISTT.-
PATNA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajnish Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under Sections 399, 402, 419, 420, 120(B), 414, 467, 468 and 471 of the Indian Penal Code and Sections 25(1-B)a, 26 and 35 of the Arms Act.

3. As per allegation in the FIR, the petitioner and the co-accused persons were apprehended with a Bolero vehicle. On search, one mobile was recovered from the possession of the petitioner. It is further alleged that petitioner and the co-accused persons were making preparation for committing dacoity.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. No incriminating material has been recovered from the possession of



the petitioner and he has no concern with the alleged recovery and vehicle in question. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Provision of Section 100 Cr.P.C. has not been followed by the police personnel while preparing the seizure list. Similarly situated co-accused Akash Kumar has already been enlarged on bail by another coordinate Bench of this Court vide order dated 31.08.2023 passed in Cr. Misc. No. 55349 of 2023. Petitioner is languishing in judicial custody since 24.05.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II, Nalanda, Bihar Sharif in connection with Bind P.S. Case No. 58 of 2023.

(Sunil Kumar Panwar, J)

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