

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13399 of 2025

Arising Out of PS. Case No.-14 Year-2023 Thana- ALOULI District- Khagaria

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Dhiro Sharma Son of Late Kamlu Sharma Resident of Village- Bisanpur, P.S.-
Muffasil, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-03-2025 Heard Mr. Ranjeet Kumar Singh, learned counsel for

the petitioner and Mr. Dilip Kumar No.1, learned APP for the

State.

2. The petitioner seeks bail in a case registered for
the offence punishable under Sections 25 (1-AA), 26 (i) (ii) &
35 of the Arms Act.

3. Acting on a tip-off, when the police party raided
the place of occurrence, unprepared pistol, two magazine and
other articles of preparing illegal arms are said to have been
recovered. After seeing the police party, the miscreants managed
to escape from the place of occurrence.

4. It is submitted by learned counsel for the
petitioner that no such occurrence as alleged ever took place.
He is quite innocent and has been falsely implicated in this case.



He is neither named in the F.I.R. nor was apprehended on the spot. No incriminating article has been recovered from his conscious physical possession. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is nothing in the record indicating the complicity of the petitioner in the occurrence barring the confessional statement of co-accused, Rahul Kumar @ Rahul Sharma, which has no evidentiary value in the eye of law. The petitioner has two criminal antecedents as stated in para-3 of this application and has been languishing in custody since 23.11.2024.

5. Learned APP for the State vehemently opposing the bail petition submitted that considering the nature of the allegation, the petitioner does not deserve bail.

6. In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. The prayer for bail is hereby rejected. However, the petitioner would be at liberty to renew his prayer for bail after framing of charge.

(Anjani Kumar Sharan, J)

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