

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16903 of 2025

Arising Out of PS. Case No.-713 Year-2024 Thana- SAHARSA SADAR District- Saharsa

Ganga Sharma, aged about 36 years, Male, Son of Ashok Sharma, Resident of
Village- Jhapra Tola Ward No. 31/29, P.S- Saharsa Sadar, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

4 02-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Saharsa Sadar P.S. Case No. 713 of 2024 instituted for the
offences punishable under Sections 309(4) of the B.N.S. 2023
and Section 27 of the Arms Act.

3. As per the prosecution case, a sum of Rs.
35,500/- and arms and ammunition has been recovered from
the possession of the petitioner.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has committed no offence and has
falsely been implicated in this case. He submits that the
petitioner is not named in the FIR and his name surfaced in this
case only on the basis of self confessional statement in another



case where he has been arrested and remanded in this case. He further submits that the rupees 35,500/- was recovered from the possession of the petitioner but those were not looted and he has been made accused only on the basis of suspicion. He next submits that there is no any Test Identification Parade conducted till date. He lastly submits that nothing incriminating article has been recovered from the conscious possession of the petitioner. Petitioner is in custody since 07.10.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, case diary and also perused the impugned order dated 29.01.2025 passed by the learned Principal Sessions Judge, Saharsa, it appears that on the basis of written report of the of the informant Rohan Kumar, FIR has been lodged under Sections 309(4) of the B.N.S. 2023 and Section 27 of the Arms Act against unknown persons. The name of the petitioner has been surfaced in this case only on the basis of self confessional statement in another case where he has been arrested. From perusal of paragraph no. 34 of the case diary, it also appears that Rs. 35,500/- and one country made pistol has been recovered from the conscious possession of the petitioner and he has confessed his guilt



before the police. It also appears that the petitioner has 15 criminal antecedent and all the offences is heinous attempt to murder, looted property, assault, arms act and other heinous offences, so considering all the aspects of the matter, I am not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

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