

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28294 of 2025

Arising Out of PS. Case No.-345 Year-2024 Thana- THAWE District- Gopalganj

Atul Sharma S/o Gautam Sharma @ Gautam Thakur, Male, aged about 20 years, R/o Village- Lakshawar, P.S.- Thawe, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Raj, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 06-08-2025 Heard Mr. Akash Raj, learned counsel appearing on behalf of the petitioner and Mr. Dilip Kumar No. 1, learned APP for the State.

2. Petitioner seeks regular bail in connection with Thawe P.S. Case No. 345 of 2024 registered for the offences punishable under Sections 317(5) of the BNS and Sections 25(1-B)(a) and 26 of the Arms Act.

3. As per the allegation made in the FIR, one country made pistol and live cartridge have been recovered from the possession of the petitioner.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. Petitioner is in custody since 20.12.2024.



5. Learned APP appearing for the State opposes the bail prayer.

6. Considering the nature of allegation made against the petitioner in the FIR and also the fact that petitioner has remained in custody since 20.12.2024, the learned District Court is directed to release the petitioner, above named, on bail upon furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Thawe P.S. Case No. 345 of 2024 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.



(v) The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(VII) At the time of furnishing of the bail bond, petitioner's father is required to furnish a certificate granted by the school/college principal. If he has not joined any school/college then in that case, he must be enrolled in a school/college and get a receipt of that enrollment and thereafter the same should be produced at the time of furnishing of the bail bond.

(Purnendu Singh, J)

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