

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59317 of 2025

Arising Out of PS. Case No.-205 Year-2024 Thana- JAMHOR District- Aurangabad

Dilip Kumar Sharma @ Dilip Kumar Son of Sachidanand Sharma Resident of
Vill- Gaini Khudwan, P.S.- Khudwan, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Jamhor P.S. Case No. 205 of 2024 registered for the offences under Sections 338, 336(3), 340(2) and 3(5) of the BNS and Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per prosecution case, on the basis of a tip off, a raid was conducted by the police at certain identified place where the police found 5 persons carrying backpacks and trolley bags. They were signaled to stop and two of them were apprehended and three persons fled away from the spot. Apprehended persons disclosed the name of this petitioner who made good his escape. From the apprehended co-accused persons, recovery of 820 cartridges was made.



4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The co-accused persons named this petitioner for his involvement which is an exculpatory statement but apart from that there is no material on record to show the involvement of the petitioner with the offence as alleged. From the FIR, it is clear that nothing incriminating has been recovered from the person or possession of this petitioner. For recovery of cartridges from other co-accused persons, liability could not be fastened upon this petitioner. The petitioner was apprehended in Chandauti P.S. Case No. 473 of 2024 and has been remanded in the present case on 22.04.2025. Charge-sheet has been submitted. Petitioner is having antecedent of 5 cases.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from this petitioner and further considering the vague and remote nature of allegation against the petitioner and also considering the period of custody of the petitioner and submission of charge-sheet, the petitioner



above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Aurangabad/ concerned court in connection with Jamhor P.S. Case No. 205 of 2024, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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