

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81767 of 2025

Arising Out of PS. Case No.-184 Year-2025 Thana- SHERGHATI District- Gaya

Sharif @ Md. Sharif Khan Son of Md. Rashid Khan Resident Of Village -
Saiyaddih, P.S. - Magadh University, Dist. - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manindra Kishore Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 03-12-2025 Heard Mr. Manindra Kishore Singh, learned counsel
for the petitioner and the State.

2. The petitioner is in custody in connection with Sherghati P.S. Case No. 184 of 2025 for the offence punishable under Sections 25(1-B) (a), 26 and 35 of the Arms Act lodged on 30.04.2025 by the informant, Bharat Prasad Yadav.

3. As per the prosecution story, the informant alleged that that during patrolling and upon information, the house of Rahul Ameen @ Osama was raided and there is recovery/seizure of country made double barrel gun. Upon query, he informed that it has been supplied by Sharif (petitioner herein) and Aakib Khan. This led to the FIR.

4. Learned counsel for the petitioner submits that admittedly, the recovery/seizure is from Rahul Ameen @



Osama, only because he named the petitioner, got implicated. He is in custody since 23.08.2025 and further Rahul Ameen has been extended relief by a Coordinate Bench in Cr. Misc. No. 51941 of 2025 on 12.08.2025 (Annexure-2 to the petition).

5. Learned APP opposes the prayer for bail submitting that the person from whom recovery was made has named him.

6. Taking into account the submission of the parties as also that the petitioner do not have any criminal antecedent and Rahul Ameen has been granted relief, as recorded above, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate I, Sheghati, Gaya in connection with Sherghati P.S. Case No. 184 of 2025 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance and after the end of the period, the certificate shall be submitted before the Trial Court failing which steps shall be taken for the cancellation of the bail bonds;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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