

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15017 of 2026

Arising Out of PS. Case No.-63 Year-2025 Thana- SHRI NAGAR District- Madhepura

Bisho Sharma, S/O Bauku Sharma, Resident of Village- Baghwa, Police
Station- Srinagar, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bambahadur Jha, Adv.

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 01-04-2026 Heard the parties.

2. The petitioner apprehends his arrest in connection with Srinagar P. S. Case No. 63 of 2025 registered for the offences punishable under Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. Learned counsel for the petitioner submits that there is only one criminal antecedent against the petitioner, relating to consumption of liquor, in which he is already on bail and so far as the present matter is concerned, it is not the case of the prosecution that the alleged firearms stated to be ten live cartridges were recovered from the possession of this petitioner, rather as per the allegation, the same were recovered from the possession of two co-accused persons, who revealed the name of this petitioner as having supplied the said cartridges to the



apprehended co-accused persons, except this, there is no material to show the petitioner's involvement in the alleged offences under the Arms Act and further, the said disclosure made by the apprehended co-accused persons has no evidentiary value in the eyes of law. It is further submitted that after the alleged recovery, no attempt has been made by the police to raid the house of this petitioner till date, despite the passage of several months.

4. Learned APP for the State opposes the bail prayer of the petitioner.

5. In the facts and circumstances of this case and considering the statements made in the petition as well as above submissions, coupled with this fact that the petitioner is not alleged to have been seen with the co-accused persons who were apprehended with the alleged firearms, and the material upon which the prosecution is mainly relying in respect of petitioner's involvement in the alleged offence under the Arms Act is the statements of the apprehended co-accused persons recorded before the police, and that despite the passage of several months the prosecution has not pointed out any other material against this petitioner, in my opinion, it is a fit case for grant of anticipatory bail to the petitioner, Accordingly, let the petitioner



named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Srinagar P. S. Case No. 63 of 2025 on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Shailendra Singh, J)

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