

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9904 of 2026

Arising Out of PS. Case No.-157 Year-2025 Thana- BHITAHA District- West Champaran

Vishwa Nath Sharma S/o Rakasha Sharma Resident of Village - Rupahi Tarn,
P.S - Bhitaha, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithvi Nath Mishra, Advocate

For the State : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-02-2026 Heard Prithvi Nath Mishra, learned counsel for the
petitioner and learned APP representing the State.

2. The petitioner is apprehending his arrest in connection with Bhitaha P.S. Case No. 157 of 2025 registered for the offence punishable under Sections 25(1-A), 25(1-B)(a), 26, 29 and 35 of the Arms Act, lodged on 26.10.2025 by the informant Abhilash Kumar.

3. As per the prosecution story, the informant alleged that upon secret information that Bhual Sharma has been apprehended with illegal arms and on his revelation that he alongwith his brother, Vishwa Nath Sharma secretly manufactured country made weapons, a raid was made. Two persons tried to escape alongwith the bag in their respective hands, one managed to escape, other was caught hold of. He was Sanjay Sharma, son of this petitioner and gave the name of the person who escaped as his father, the petitioner herein. Upon the search of the bag, materials relating to manufacturing of gun



including cartridges were recovered. The son informed that his father (petitioner herein) and uncle are indulged in manufacturing illegal arms. This led to the F.I.R..

4. Learned counsel for the petitioner submits that arrested persons are his brother and son. His brother reside separately and has nothing to do with the petitioner. Further, the recovery is from his son not from his conscious possession.

5. Learned APP Mr. Bharat Bhushan, on the other hand opposes the prayer submitting that not only Bhual Sharma was apprehended alongwith arms; upon reaching the petitioner's house, two persons tried to escape alongwith bags in their respective hands. One escaped while the son who was apprehended gave the name of this petitioner. Further, from the bag of the son, number of incriminating materials relating to manufacturing of arms including pistols recovered/seized.

6. Considering the submissions of the parties as also the role of the petitioner that has come by none else than by his son, in that background, it would be appropriate that he seek bail.

7. The anticipatory bail application stands rejected.

(Rajiv Roy, J)

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