

IN THE COURT OF DISTRICT & ADDL. SESSIONS JUDGE-III, KATIHAR
BAIL PETITION NO. 293/2026
(Arising out of Balial Belone P.S. Case No. 29/2026)

Dhinuwa Sharma

... Petitioner

Versus

The State of Bihar

... Opposite Party

Ld. Counsel for the Petitioner:-
Ld. Counsel for the State :-

Sri Hamid Hussain, Advocate
Sri Shiv Narayan Singh, APP

Date of hearing/Disposal: 28.04.2026

ORDER

A regular bail petition has been filed on behalf of the accused petitioner namely (1) Dhinuwa Sharma, who is in jail custody since 21.02.2026 in connection with Balial Belone P.S. Case No. 29/2026 for the offence registered U/S 25(1-B)(a), 26, 35 of Arms Act. The copy of the same has already been duly served to the Ld. Addl. P.P. for the State.

Heard the Ld. counsel for the petitioner and the learned A.P.P. for the State.

The Ld. counsel of the petitioner has submitted that no B.P. or A.B.P. on behalf of the accused petitioner has been filed or moved earlier before this court or before the Hon'ble High Court, Patna. The petitioner is quite innocent and has committed no offence and they have been falsely implicated in this case. That the petitioner has clean antecedent. That there nothing incriminating article has been recovered from the possession of the petitioner. That the petitioner is in judicial custody since 21.02.2026. The petitioner is local man and no chance of his absconding. The petitioner is ready to furnish local and solvent bailors to the satisfaction of the court. Accordingly, prayed to grant bail.

On the other hand, the Ld. Addl. P.P. vehemently opposed the prayer of bail filed on behalf of the above named accused petitioner and submitted that the petitioner has committed the alleged offence under well planned manner. Hence, it is requested to reject the petition of the above named accused petitioner.

The case of the prosecution, in brief, is that on 20.02.2026, on secret information, S.I. Varun Kumar raided near Kaliganj turn and apprehended two persons, namely Suraj Kumar Sharma and Dhinuwa Sharma who tried to flee on seeing the police. During search, one illegal country-made pistol, one vivo mobile phone and one Bajaj pulcsar motorcycle were recovered and seized. As the accused failed to produce any valid licence for the firearm, both were arrested on the spot. Hence, the present case.

Heard rival submission of the Ld. counsel on behalf of the accused petitioner and the Ld. Add.P.P. for the State and perused the case diary. From perusal of the same, it transpires that the instant case Balia Belone P.S. Case No. 29/2026 for the offence registered U/S 25(1-B)(a), 26, 35 of Arms Act against the accused person. The petitioner has merely one criminal history mentioned in para 13 of the case diary which is under Section 37 of the Bihar Prohibition and Excise Act. Moreover, nothing incriminating articles has been recovered from the possession of the petitioner. The petitioner was just pillion rider. The accused is languishing in judicial custody since 21.02.2026.

Hence, considering the above facts and circumstances as well as the period of custody, I find it judicious to enlarge the above named accused petitioner on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of like amount each to the satisfaction of the Ld. Court below.

(Sd/-)

D.A.S.J.- III, I/C, Katihar
28.04.2026