

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 52785 of 2015

Arising Out of PS.Case No. -44 Year- 2014 Thana -SHIWAIPATTI District- MUZAFFARPUR

Md. Abdul S/o Late Md. Wazir Ansari, Resident of Village- Mithansarai,
P.S. Ahiyapur, District Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No. 53328 of 2015

Arising Out of PS.Case No. -44 Year- 2014 Thana -SHIWAIPATTI District- MUZAFFARPUR

Md. Manzoor Alam @ Md. Manzoor S/o Md. Sanif Resident of Village-
Mithansarai, P.s Ahiyapur ,District Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.52785 of 2015)

For the Petitioner/s : Mr. Jai Prakash Verma

For the Opposite Party/s : Mr. Indra Kumar Singh (App)

(In Cr.Misc. No.53328 of 2015)

For the Petitioner/s : Mr. Jai Prakash Verma

For the Opposite Party/s : Mr. Indra Kumar Singh (App)

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 10-12-2015 In both the bail petitions, petitioners, who are in custody in Sessions Trial No. 845 of 2014 (arising out of Shiwaipatti P.S. Case No. 44 of 2014) registered for the offence under Sections 3 & 4 of the Explosives Substances Act, 1908, have prayed for grant of bail and as such, both the bail petitions were heard together and are being disposed of by this common

order.

Sri Jai Prakash Verma, learned counsel for petitioners submits that both the petitioners have falsely been implicated in the present case. He submits that none of the explosive substance has been recovered from conscious possession of the petitioners, rather the petitioners themselves had received injury by the accused persons, who looted their articles. Learned counsel for petitioners further submits that the case has already been committed to the court of sessions. On aforesaid ground, a prayer has been made for grant of bail.

On perusal of the F.I.R., it is evident that petitioners had received bomb injury and prior to institution of the present case, one another case of dacoity was instituted. From the place, where blood stain was found, two looted mobiles were recovered, which were identified by the informant of the earlier case, in whose house dacoity was committed.

In view of the facts and circumstances and nature of accusation, I am not inclined to extend the privilege of bail.

Both the bail petitions are dismissed.

(Rakesh Kumar, J.)

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