

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48599 of 2014

Arising Out of PS.Case No. -204 Year- 2014 Thana -KOTWALI District- MUNGER

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Dayanand Kushwaha S/o Sita Ram Mandal Resident of Village Purab Sarai
(Durga Asthan Gali), P.S. Munger Kotwali, District Munger.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ajit Kumar Singh, Advocate
For the State : Ms. Nirmala Kumari, A.P.P.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 03-03-2015 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in a case registered under
Sections 387, 307, 120(B)/34 of the Indian Penal Code and
Section 3/4 of Explosive Substance Act.

Petitioner is not named in the F.I.R. As per the
allegation, somebody had exploded bomb in front of the shop of
the informant but on that occasion his shop was closed. Learned
counsel submits that Section 307 of the Indian Penal Code would
not be attracted in this case in view of the fact that the bomb was
exploded when the market was closed and nobody could have
received any injury from such explosion. It is further submitted
that there is no direct material against the petitioner.



Having regard to the facts and the circumstances of the case, the petitioner, Dayanand Kushwaha is directed to be released on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Munger in connection with Munger Kotwali P.S. Case No.204 of 2014 dated 23.07.2014 with a condition that one of the bailors of the petitioner must be the close relative of his family member, who will file affidavit before the court below giving full genealogy showing his or her relationship with the petitioner. Further, if the petitioner, after his release in this case, is again found to be involved in criminal case of similar nature, the court concerned would be at liberty to take steps for cancellation of his bail bonds.

That apart, in view of the antecedents of the petitioner, he would be required to appear before the Superintendent of Police, Munger within fifteen days of his release with a copy of this order and every two weeks thereafter for the next six months.

The conduct of the petitioner will be kept under watch in the aforesaid period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting

to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned which should be granted by the Superintendent of Police upon his appearance.

(Dr. Ravi Ranjan, J)

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