

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19443 of 2015

Arising Out of PS.Case No. -293 Year- 2014 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

Vivek Kumar @ Vivek Kumar Singh Son of late Rambabu Singh, resident of village- Saidpur Ganesh, P.S. Biddupur, District- Vaishali

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.23404 of 2015

Arising Out of PS.Case No. -293 Year- 2014 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

- 1. Channar Singh S/O Bhagwan Lal Singh, Resident of village - Sahdullapur, P.S. Ganga Bridge, District - Vaishali
- 2. Awadhesh Singh Son of Late Nanhku Singh Resident of village - Saidpur Ganesh, P.S. Bidupur, District - Vaishali

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.19443 of 2015)

For the Petitioner : Mrs. Usha Kumari Singh, Advocate.

For the Opposite Party : Mr. Abhay Kr.Roy(App)

(In Cr.Misc. No.23404 of 2015)

For the Petitioner : Mr. Sheo Kumar Prasad, Advocate.

For the Opposite Party : Mrs. Sharda Kumari (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 03-07-2015 Heard both sides.

The petitioners apprehend their arrest in Biddupur P.S.
Case No. 293 of 2014, registered for the offences punishable
under Section 307 and other Sections of the Indian Penal Code and
under different Sections of the Explosive Substances Act.

The informant named the petitioners along with other accused persons but made very specific allegation that Channar Singh, petitioner no. 1 of Cr. Misc. No. 23404 of 2015, exploded bomb. Thereafter, Awadhesh Singh, petitioner no. 2 of Cr. Misc. No. 23404 of 2015 assaulted the informant with iron rod on his head, but no specific allegation is made against Vivek Kumar @ Vivek Kumar Singh, petitioner of Cr. Misc. No. 19443 of 2015.

It is submitted that nobody was injured in explosion of bomb. The injuries caused by iron rod on head which opined to be simple in nature.

Considering the facts aforesaid and the fact that there is very specific allegation of explosion of bomb against Channar Singh and assault on the head with iron rod against Awadhesh Singh, I am not inclined to enlarge the petitioners Channar Singh and Awadhesh Singh in (Cr. Misc. No. 23404 of 2015) on anticipatory bail. Accordingly, the same is rejected.

However, the petitioners Channar Singh and Awadhesh Singh, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail and their prayer shall be considered on its own merit without being prejudiced by this order.

So far as the case of petitioner Vivek Kumar @ Vivek

Kumar Singh is concerned, there is no allegation against him, he, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in Biddupur P.S. Case No. 293 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

KKSINHA/-

U		T	
---	--	---	--