

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34785 of 2014

Arising Out of PS.Case No. -165 Year- 2013 Thana -HARSIDHI District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Arvind Singh Son of Rameshwar Singh, resident of Village Ghoghrana
Bairiya, P.S.- Harsidhi, District- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Tondon

For the Opposite Party/s : Mr. Sharda Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 16-01-2015 Heard both sides.

The petitioner seeks bail in Harsidih P.S. Case No.
165 of 2013 registered under section 387 and other allied
sections of the Indian Penal Code and 27 of the Arms Act.

The petitioner is not named in the first information
report. During the course of investigation no tangible evidence
has been collected and paragraph 16 of the case diary disclosed
that petitioner along with Akhilesh Singh came at the temple
on a motorcycle and petitioner kept his bag in the temple and
thereafter they all went from there. They also returned to the
temple after two hours. The police recorded the statement of
Nitesh Kumar in paragraph 36 in which he has stated to have

exploded bomb and thereafter he disclosed that petitioner and other called him. It is stated that except confessional statement there is no evidence to show that the petitioner went to the place of occurrence and threw bomb. Co-accused Akhilesh Singh, Rintu Singh and Nitesh Kumar Sonu were enlarged on bail vide order passed in Cri. Misc. No. 7880 of 2014, Cr. Mis. No. 18341 of 2014 and Cri. Misc. No. 34549 of 2013.

On the other hand learned A.P.P. States that the petitioner has criminal antecedent.

Considering the facts that nobody has seen the petitioner throwing bomb and the evidence of the witnesses also did not show that the petitioner has committed the crime and other accused persons have already been enlarged on bail and the petitioner is in jail since 4.10.2013, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Chief Judicial Magistrate, Motihari in the connection with the above noted case. ,

(Prabhat Kumar Jha, J)

M.Rahman/-

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