

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13994 of 2016

Arising Out of PS.Case No. -577 Year- 2015 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

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1. Bishwanath Paswan, son of Sri Ram Paswan, resident of Village-
Kochas, Police Station- Kochas, in the district of Rohtas..... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Akhileshwar Pd. Singh, Sr. Advocate

Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Mr. Shailendra Kr.Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 12-05-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Sasaram
(Model) P.S. Case No. 577 of 2015 registered for the offences
punishable under Sections 4 / 5 of Explosive Substance Act and
Section 17 of C.L.A. Act.

Allegedly, 1500 Detonators were recovered from the
room of the petitioner and after seeing the arrival of Police
personnel some persons succeeded in fleeing away.

Submission is of false implication and that it is true that
the house is of the petitioner but the petitioner is not residing
there, the house has been given to different tenants, the petitioner
is a teacher in a school which is situated at a distance of 35
kilometers from the alleged place of occurrence and it is not

probable that the petitioner will use to come and go there. As a matter of fact the tenant Ravi Ranjan Kumar after bringing the Police in collusion got the petitioner implicated. The petitioner has got no criminal antecedent and co-accused Chandan Kumar has been allowed bail vide Cr. Misc. No. 14458 of 2016 by another co-ordinate Bench of this Court to which learned APP seriously opposes by pointing out the alleged recovery and further referring paragraph 25, 27, 80 and 81 of the case diary wherein the independent witnesses have stated that the room was in possession of the petitioner from where those detonators were recovered.

In the facts and circumstances stated above, at present, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

However, let the trial be expedited and concluded as early as possible, preferably within six months after keeping the same on day to day basis, failing which, if the petitioner at no fault, the petitioner may renew his prayer of bail.

(Jitendra Mohan Sharma, J)

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