

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2617 of 2016

Arising Out of PS.Case No. -24 Year- 2015 Thana -ARA NAGAR District- BHOJPUR

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MD. NAIM MIAN @ MD. NAIM S/o Late Md. Amin Mian Resident of
Village - Dharhara Ara, P.S. - Ara Town, District - Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shri Prakash Srivastava, Advocate

For the Opposite Party/s : Mr. Md. A.Haque Sahara (App)

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

4 04-04-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the state.

The petitioner seeks bail in connection with Ara
Town P.S. Case No. 24 of 2015 registered for the offences
punishable under Sections 302, 307, 326, 224 and 120(B) of the
Indian Penal Code and r/w Section 3/4/5 of the Explosive
Substance Act.

Allegedly, bomb was exploded in the premises of
civil court, Ara, Bhojpur on 23.01.2015, in which a lady namely
Nagina Devi who exploded the bomb, died and many other
persons including one police constable Amit Kumar and Hawaldar
were injured and subsequently Constable Amit Kumar also died. It
is alleged that Lambu Sharma and Akhilesh Upadhyay @ Musa

Upadhyay fled away from the custody taking advantage of the explosion of the bomb and allegedly, the petitioner and others conspired in fleeing away the two accused from custody. The name of the petitioner transpired in the statement of that Lambu Sharma and further the petitioner was seen there.

Submission is of false implication and that no one has seen the petitioner providing the bomb to that lady or providing some money to her and only on the basis of statement of co-accused, the petitioner is suffering in custody since 07.10.2015, co-accused Dr. Narendra Kumar Pandey @ Sunil Pandey and Vijay Sharma have already been allowed bail and further Chand Mian @ Md. Chand Mian has also been allowed bail.

The learned A.P.P. submits that the name of the petitioner has come in the statement of Lambu Sharma.

In the facts and circumstances stated above, the petitioner, above named, is also directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Ara, Bhojpur in connection with Ara Town P.S. Case No. 24 of 2015 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the

petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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