

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5658 of 2016

Arising Out of PS.Case No. -127 Year- 2015 Thana -SONO District- JAMUI

Sildhar Kora son of resident of village- Rughania, P.S.- Charkapathar,
District- Jamui

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Satya Prakash Parasar, Advocate
For the Opposite Party/s : Mr. Dr. Ravindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-03-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Sono P.S. Case No. 127 of 2015 pending in the Court of
learned Sessions Judge, Jamui for the offences instituted under
Sections 16, 17, 18, 19, 20 and 21 of the UAPA Act and Sections
3 and 4 of the Explosive Substances Act.

As per the prosecution case huge explosive materials by
Naxalite dasta is being supplied in the forest then a raiding team
was constituted and informant alongwith raiding party made
search operation near village-Tetaria and recovered 50 k.g.
Amonium Nitrate in a plastic bag used for explosion and also
recovered three detonator attached with electric wire.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. Petitioner has been made accused due to mistake of fact. Except for the confessional statement of the co-accused, there is no other material to implicate the petitioner in the present case.

On behalf of the State, it has been submitted that the petitioner is named in the FIR and from the possession of co-accused explosive substance in heavy quantity is said to have been recovered and the petitioner is involved in the Maoist activities.

Considering the aforesaid facts and circumstances of the case, I am not inclined to release the above named petitioner on anticipatory bail, the same is rejected.

Anyhow, if the petitioner surrenders in the court below within a period of four weeks, the same shall be considered on its own merit without being prejudiced by this order taking into account the submissions made on his behalf and if possible the same may be disposed of on the same day.

(Sudhir Singh, J)

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