

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 29188 of 2016

Arising out of P.S. Case No. - 78 Year - 2016 Thana - GAYA MUFFSIL District - GAYA

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Deepak Pandey @ Deepak Kumar Giri, Son of Bharat Giri, Resident of Village - Lakarka Road No. 4, P.S. – Katras, District – Dhanbad (Jharkhand). At present resident of village - Kamalpur, P.S. Muffasil, Gaya, District Gaya

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arvind Kumar Singh, Advocate

For the Opposite Party : Mr. Sri Bisheshwar Ram, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 25-07-2016

Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor.

On getting confidential information that an accused of Buniyadganj P.S. Case No. 28 of 2016 was roaming, police swung into action and apprehended the culprit who disclosed his identity as the petitioner. Furthermore, it has also been submitted that on his inculpatory extra judicial confession, two country made bombs having put beneath earth have been recovered.

The case happens to be registered under Explosives Act which ought not to be as Section 3 thereof is found deleted while 4 is the definition. Penal offence happens to be Section 9 whereunder possession is found punishable of imprisonment which may extend to two years or with fine which may extend to three

thousand or with both. Section 3/4 happens to be Penal offence under the Explosive Substances Act.

Be that as it may, recovery has been made not from the conscious possession of the petitioner.

Allegedly, on the inculpatory extra judicial confession and for that, petitioner happens to be under custody since 17.02.2016.

In the aforesaid facts and circumstances of the case, petitioner Deepak Pandey @ Deepak Kumar Giri is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gaya in connection with Gaya Muffassil P.S. Case No. 78 of 2016.

(Aditya Kumar Trivedi, J.)

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