

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56586 of 2015

Arising Out of PS.Case No. -62 Year- 2014 Thana -BHARGAMA District- ARRARIA

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Md. Azad son of Late Shamsheer Ali Resident of Village - Mazrahi, Police
Station - Bhargama, District - Araria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Humayou Ahmad Khan

For the Opposite Party/s : Mr. Sakir Ahmad(App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 05-02-2016

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

In this case, the petitioner is seeking bail in connection
with Bhargama P.S. Case No. 62 of 2014 for offence under
Section 4 of Explosive Substance Act.

The police has reached to the house of the petitioner
and recovered bomb from the common latrine made for the several
families. Learned counsel for the petitioner submits that the case
was lodged at the instance of Nazrul, who had planted the bomb
and roped the petitioner in the present case as the bomb was found
from the common latrine meant for several family members. The
petitioner is languishing in judicial custody since 17.8.2015 and so
much so that he has also to lodged a criminal case against Nazrul
in Bhargama P.S. Case No. 60 of 2014.

Looking to the entire facts and circumstances of this case, let the petitioner, namely, Md. Azad be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Araria in connection with Bhargama P.S. Case No. 62 of 2014 (G.R. No. 1402 of 2014), subject to the following conditions:-

- (i) One of the bailors shall be relative of the petitioner.
- (ii) If the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail, and
- (iii) The petitioner would cooperate in the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass an order, including cancellation of bail bonds.

(Shivaji Pandey, J)

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