

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48126 of 2015

Arising Out of PS.Case No. -24 Year- 2013 Thana -DUMARIA District- GAYA

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KAUSHAL JEE @ KUNDAN YADAV @ KUNDAN Son of Late Khemlal
Yadav, Resident of village- Matgarha, P.S.- Mohanpur, District- Gaya

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Adv.

For the Opposite Party/s : Mr. Ajay Kumar No.2(App)

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

3 18-01-2016 Heard learned counsel for the petitioner as well as

learned A.P.P. for the State.

The petitioner seeks bail in connection with Dumaria
P.S. Case No. 24/2013 registered for the offences punishable
under Sections 147, 148, 149, 353, 324, 307, 332, 333 and 120(B)
of the Indian Penal Code and ¾ of Explosive Substance Act and
17 of C.L.A. Act.

Allegedly, IED installed in the way exploded causing
injury to police personnel and the petitioner and others have been
named that they are active in the area and have made plan to kill
and damage the police.

Submission is of false implication, that the petitioner
was not identified by anyone at the spot, only on suspicion he has

been named, during investigation also no one has claimed to identify the petitioner and as such the petitioner who is suffering in custody since 03.03.2015 deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of bail by submitting that the petitioner has criminal antecedent.

In the facts and circumstances stated above, considering that no one has identified the petitioner installing IED and as such the petitioner is 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 Sub Judicial Magistrate, Sherghati, Gaya in connection with Dumaria P.S. Case No. 24/2013, 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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