

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4898 of 2017

Arising Out of PS.Case No. -154 Year- 2016 Thana -SIRDALA District- NAWADA

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Upendra Mistri, S/o Sadhu Mistri, R/o Village- Dumari, P.S.- Govindpur,
District- Nawada.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 26-04-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in connection with Sirdala P.S.
Case No.154 of 2016 registered under Sections 324, 326 and 307
of the Indian Penal Code besides Sections 3/4 of the Explosive
Substance Act and Sections 18, 19 and 20 of the Prevention of
Unlawful Activities Act.

The accusation is that the police received information
about damaging the house of Basudeo Rajbanshi alias Baso
Rajbanshi at the time of preparation of bomb on its explosion in
village-Pratapur. On receiving such information, the police
reached there and found one person lying injured there in an



unconscious stage. On query, the villagers, assembled there, disclosed the name of the injured Upendra Mistri (petitioner) and also disclosed that he is working in the house of Basudeo Rajbanshi alias Baso Rajbanshi for the last 3-4 days. The injured was sent to the Primary Health Centre, Sirdala for treatment. On search of the house of Basudeo Rajbanshi alias Baso Rajbanshi, two pipe bombs and the material of exploded bomb were recovered from there.

Learned counsel appearing on behalf of the petitioner submits that, in fact, the petitioner being the carpenter was engaged by Basudeo Rajbanshi alias Baso Rajbanshi for doing the work of carpenter in his house and, in that course, bomb was exploded in which he sustained injury. The petitioner is in custody since 24.07.2016. Further submission is that while the petitioner is accused in three other cases, as detailed in paragraph-3 to this application, but in all that cases, the petitioner is on bail.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nawada, in connection with Sirdala P.S.Case No.154 of 2016. Out of the two sureties, one must be



close relative of the petitioner, who will file an affidavit giving genealogy as to how he/she is related with the petitioner. The bailors will undertake to furnish information to the court about any change in the address of the petitioner.

(Rajendra Kumar Mishra, J)

P.S./-

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