

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22436 of 2017

Arising Out of PS.Case No. -148 Year- 2014 Thana -BARACHATTI District- GAYA

=====

1. Rakesh Paswan, son of Sheonandan Paswan, Resident of Village-Dhangain, P.S.- Barachatti, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Neerad Parashar

For the Opposite Party/s : Mr. Sri Prem Kumar Jha

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 23-06-2017 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in judicial custody since 28.02.2017 in connection with Barachatti P.S. Case No. 148/2014 for offences alleged under Sections 147, 148, 149, 307, 120(B) of the Indian Penal Code and Sections 3, 4 and 5 of the Explosive Substances Act, Section 17 of C.L.A. Act as well as Sections 13, 16, 18 and 20 of the U.A.P. Act.

The prosecution case, as lodged by the police personnel, is that the police recovered 5kg bomb from two places, which was implanted to obstruct the Lok Sabha Election, 2014. On the basis of information of the villagers, the name of the petitioner and other co-accused have been mentioned.



It has been submitted by the learned counsel for the petitioner that he is innocent and there is absolutely no material to show that the petitioner has put bomb. It has further been submitted that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence and simply because the petitioner is alleged to belong to a MCC gang and just because he is involved in similar nature of cases from before, he has been falsely implicated in the aforesaid case.

However, learned APP for the State submits that the petitioner does not have clean antecedent and similar nature of cases are pending against him, hence, opposes the prayer for bail

Considering the facts aforesaid and materials on record as well as the period of custody, I am not inclined to grant the privilege of bail to the petitioner at this stage. The application is, accordingly, rejected.

(Nilu Agrawal, J.)

Rakhi

U		T	
---	--	---	--

