

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42251 of 2017

Arising Out of PS.Case No. -174 Year- 2013 Thana -NABINAGAR District- AURANGABAD

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1. Mishri Ram, son of late Banwari Ram, Resident of Village- Thengo,
P.S.- Nabinagar, District- Aurangabad, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Leelawati Kumari

For the Opposite Party/s : Mr. Sri Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 12-09-2017 The petitioner seeks regular bail in connection with Nabinagar P.S. Case No. 174 of 2013, registered for offences punishable under Sections 147, 148, 149, 427, 353, 124A, 121A, 302 of the Indian Penal Code and Section 17 of CLA Act and Section 3, 4 and 5 of Explosive Substance Act and Section 16, 17, 18, 19, 20, 38 of UPA Act.

Prosecution case is that on 13.12.2013 a police jeep was blown away by exploding bomb by some terrorist group and the police personals boarded in the jeep died on the spot due to said explosion and it is said that the said occurrence has been committed by terrorist group, in which the petitioner was also a member.

It has been submitted on behalf of the petitioner that he



has not been named in the F.I.R his name transpired in this case only on the basis of confessional statement of co-accused and except that there is nothing against the petitioner so as to connect him with the present case. Further other co-accused persons have already been granted bail, copies of which has been annexed as Annexure -2 to this petitioner and petitioner has no criminal antecedent and has been in judicial custody since 24.05.2017.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case and also that other co-accused persons have already been granted bail by the coordinate Benches of this court, as such, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Aurangabad, in connection with Nabinagar P.S. Case No. 174 of 2013, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or



tamper with the evidence.

- (iii) Petitioner shall mark his attendance in this concerned police station in the first week of each month till conclusion of trial so that police may watch his conduction during trial.
- (iv) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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