

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2012 of 2017

Arising Out of PS.Case No. -23 Year- 2016 Thana -AANTI District- GAYA

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Sanoj Prajapati @ Sanoj Kumar Son of Late Mahavir Prajapati Resident of
Village-Chabura Police Station Anti, District Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

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

3 13-02-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Anti P.S. Case No. 23 of 2016 for the offences punishable under sections 212, 216 and 34 of the I.P.C, section 34 of the Explosive Substance Act and section 17 of the C.L.A. Act.

Allegedly, the house of Najama Khatoon was searched but nothing was recovered, then another house which was locked was searched after breaking open the lock and explosive substance in a bag were recovered. Six cylinder bombs and other explosive substance, six bombs of red colour, gas cylinder etc. were also recovered and seized. Najama Khatoon



disclosed the name of the petitioner and other Maoist who used to come to her house and she stated that Maoist kept the explosive substance with a view to commit offence near railway station Ismailpur and Anti police station area. The bombs were defused and Najama Khatoon was arrested.

Submission is of false implication and that the petitioner is B.A.M.S. doctor and earlier he was doing practice in Rajkot Gujrat with Dr. J.R. Saparia as assistant and after death of Dr. J.R. Saparia the petitioner returned to his village and since 20.03.2016 he is running his clinic at Tiwari Bigha Bus Stand, he has been dragged in this case due to the village politics and as such the petitioner deserves sympathetic consideration as nothing has been recovered from his possession or from his house and only on the basis of the confessional statement of a co-accused his house is being searched.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner by submitting that during investigation the witnesses have supported the allegation and named the petitioner and the allegation is very serious in nature.

In the facts and circumstances as stated above, considering that the name of the petitioner has come in the confessional statement of a co-accused and besides that there is no



other material against him and as such the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. C.J.M. Gaya in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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