

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52652 of 2016

Arising Out of PS.Case No. -24 Year- 2015 Thana -ARA NAGAR District- BHOJPUR

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Rinku Yadav, Son of Lal Babu Yadav, Resident of Village- Powerganj,
Ara, P.S.- Ara Nawada, District- Bhojpur at Ara (Bihar).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Manoj Kumar, Advocate.

For the Opposite Party : Mr. Uma Shankar Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-01-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 25.03.2015
in connection with Sessions Trial No. 157 of 2015, arising out of
Ara Town P.S. Case No. 24 of 2015 for the offences instituted
under Sections 302, 307, 326, 224, 120(B) of the IPC and 3,4 and
7 of the Explosive Substances Act.

The prosecution story, in brief, is that on the alleged date
and time of occurrence when the police Van came with altogether
37 accused persons near the Court Hazat and in process of
stepping down the accused persons, one lady aged about 30 years
exploded bomb to which one Constable No. 696, namely, Amit
Kumar, died and some other constables also injured. The said lady



who exploded the bomb died and by taking advantages of this mishappening as well as smoke spreaded around the place of occurrence, two accused Lambu Sharma and Akhilesh Upadhaya @ Musa Upadhaya succeeded to escape out from the judicial custody. It is further alleged that the said lady had previously visited with Lambu Sharma when both the accused came before the court for their production. The accused Lambu Sharma was life convict prisoner in previous offence of explosion of bomb in civil court premises in the year 2009.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 25.03.2015 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. He is not named in the FIR. His name has come on the basis of confessional statement of co-accused. The other co-accused have been granted bail by another co-ordinate Bench of this Court vide Annexures-2 series to the present application.

On behalf of the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 the learned Additional District
& Sessions Judge-Ist, Bhojpur at Ara, in connection with Sessions
Trial No. 157 of 2015, arising out of Ara Town P.S. Case No. 24
of 2015.

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(Sudhir Singh, J)

