

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30609 of 2017

Arising Out of PS.Case No. -13 Year- 2017 Thana -BUXAR RAIL P.S. District- BHOJPUR

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Jai Prakash Paswan @ Jai Prakash Kumar @ Subash Paswan (Kumar) @
Rakesh Choudhary @ Navin Singh, S/o Sri Suresh Paswan, Resident of
Kanjhrua, P.S.- Sikraul, District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Shankar Choudhary, Advocate

For the Opposite Party/s : Mr. Indra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 28-07-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Buxar (Rail)

P.S. Case No. 13 of 2017 instituted for the offence under Sections
3/4 of Explosives Substance Act. Subsequently, Sections 216 and
120(B) of the Indian Penal Code were added.

It has been submitted that petitioner has no criminal
antecedent.

As per written report, on 6.2.2017, suddenly a sound
of blast was heard and lots of fumes were seen when 13134
Varanasi Sialdah down train was coming from Buxar. One person
on northern side of track was found running towards Jaso village
wearing *Paijama* and *Kurta*.

Case diary has been received.



During investigation, on the basis of tower location, two mobile phones frequently in use by each other were found. Two persons were interrogated by the police and police found those mobiles belong to them. One in the name of Rakesh Choudhary and other in the name of Manoj Kumar Singh.

It has been submitted on behalf of the petitioner that one of the mobiles which was found in the name of Rakesh Choudhary, son of Mawana Choudhary, belongs to this petitioner but, father name of this petitioner is Suresh Paswan as mentioned in the bail petition.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Buxar Rail P.S. Case No. 13 of 2017, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Railway Magistrate, Arah, Bhojpur, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the



court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

S.Ali/-

(Sanjay Priya, J)

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