

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48596 of 2017

Arising Out of PS.Case No. -197 Year- 2017 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

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Sunil Jha Son of Late Ramagya Jha, R/o Village- Dudhiyawa Jha Tola,
P.S.- Paharpur, District- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shakti Suman Kumar, Advocate

For the Opposite Party/s : Mr. S.M. Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 18-10-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks pre-arrest bail in connection with
Paharpur P. S. Case No. 197 of 2017 registered under Sections 4
and 5 of the Explosive Substances Act.

It is submitted by the learned counsel for the petitioner
that the petitioner has been named in the FIR on the basis of
confession made by co-accused Satrughan Sah, but said
Satrughan Sah did not state in his confessional statement that the
petitioner had any knowledge about keeping and concealing the
bomb in his open hut, which was, in fact, used for keeping cattle
fodder. He submitted that the petitioner has got no concern with
Satrughan Sah, who is a veteran criminal and he might have kept



bombs with a view to damage to the petitioner's property. He has further contended that the petitioner has got no criminal antecedent.

Learned Additional Public Prosecutor for the State has opposed the application for grant of pre-arrest bail to the petitioner. He submitted that from a *jhoparinuma baithaka* of the petitioner, bombs were recovered by the police.

I have heard learned counsel for the parties and perused the record.

Considering the nature of allegation made in the FIR coupled with the submissions made by learned counsel for the petitioner, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-14, Motihari, East Champaran in Paharpur P. S. Case No. 197 of 2017, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure, in the event of arrest or surrender before the court below within six weeks from today.

(Ashwani Kumar Singh, J.)

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