

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45033 of 2017

Arising Out of PS. Case No.-375 Year-2005 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Md. Izhar son of Late Md. Mazid resident of Mohalla - Chhoti Railway Line
Jhoparpatti, P.S. - Tilkamanjhi, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha
For the Opposite Party/s : Mr. SRI BINOD KUMAR 3

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 21-09-2017 Heard learned counsel for the petitioner and the

State.

The Petitioner who is in custody seeks bail in
connection with **S.T. No. 538 of 2017 corresponding to
Kotwali (Tilkamanjhi) P.S. Case No. 375 of 2005** registered
for the offence punishable under Section 414 of the Indian Penal
Code and Section 4 & 5 of the Explosive Substance Act.

The allegation against the petitioner is of
manufacturing bomb in his house.

It has been submitted on behalf of the petitioner
that earlier chargesheet was filed against the petitioner under
Section 414 of the Indian Penal Code and he has been acquitted
in the said case, and thereafter the police has submitted



chargesheet against the petitioner for the offence punishable under Section 4 & 5 of the Explosive Substances Act. During pendency of trial under Section 414 of the Indian Penal Code, second supplementary chargesheet under Section 4 & 5 of the Explosive Substances Act has been submitted against the petitioner. The petitioner has been acquitted for the offence punishable under Section 414 of the Indian Penal Code but the allegation against the petitioner for the offence under Section 4 & 5 of the Indian Penal Code remained pending, and is facing trial for the second time.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned 7th **Additional Sessions Judge, Bhagalpur** in connection with **S.T. No. 538 of 2017 corresponding to Kotwali (Tilkamanjhi) P.S. Case No. 375 of 2005.**

(S. Kumar, J)

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