

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38405 of 2017

Arising Out of PS.Case No. -199 Year- 2016 Thana -MAUZAHDIPUR District- BHAGALPUR

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Bikash Rajak @ Bhikhari @ Chhotu Rajak, Son of Late Ganga Rajak,
resident of Mohalla- Aliganj Dhobiya Tola, P.S.- Babarganj, District-
Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nirmala Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 19-08-2017

Heard learned counsel for the petitioner and State

The petitioner is an accused in Mojahidpur
(Babarganj) P.S. Case No. 199 of 2016 for the offences under
Sections 341, 307/34 of the Indian Penal Code and Section 3/4 of
the Explosive Substance Act.

From the perusal of the seizure list, it appears that
explosive substance like Patakha was seized and there is no
specific description about the nature of the explosive attracting
the provisions of the Explosive Substance Act.

Counsel for the petitioner submits that explosive
substance was not recovered from the possession of petitioner,
but the same was recovered from the possession of the co-
accused Sagar Paswan, who has already been granted bail by the



court below.

Considering the fact that from the conscious possession of the petitioner nothing was recovered and the person, in whose possession the alleged explosive was recovered, has already been granted bail, let 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 Chief Judicial Magistrate, Bhagalpur in connection with Mojahidpur (Babarganj) P.S. Case No. 199 of 2016, subject to the condition that the petitioner will extend full cooperation in the conclusion of the trial and will not, in any manner, tamper with the evidence or influence the witnesses.

(Anil Kumar Upadhyay, J)

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