

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42533 of 2017

Arising Out of PS.Case No. -2 Year- 2014 Thana -SANGRAMPUR District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Bhuntun Rai @ Bantu Rai, Son of Vishwanath Rai, Resident of Village-
Molnapur, Police Station-Rajepur, District-East Champaran.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha

For the Opposite Party/s : Mr. Sri Satyendra Narayan Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 22-11-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Sections 395 of the Indian Penal Code and ¾ of Explosive
Substance Act.

It is alleged that some articles are said to have been
recovered from the possession of the petitioner and accordingly
seizure list was prepared.

Earlier the bail application of the petitioner was
rejected vide Annexure-1 and 2 to the present application, with a
direction to conclude the trial preferably within a period of nine
months.

A report was called for from the trial Court regarding



the stage of the case. It has been reported that charge has not been framed.

It has been submitted that the petitioner is in custody since 10.01.2014. He has remained in custody for approximately 3 years and 9 months. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. He has not been put on T.I.P. The participation of the petitioner has not been ascertained. No offence under Section 395 of the Indian Penal Code can be made out against the petitioner. At best, it is a case under Section 414 of the Indian Penal Code.

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 Sessions Judge-VI, Motihari, in connection with S.T. No. 878 of 2016, arising out of Sangrampur P.S. Case No. 02 of 2014.

(Sudhir Singh, J)

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