

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43613 of 2016

Arising Out of PS.Case No. -24 Year- 2015 Thana -ARA NAGAR District- BHOJPUR

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Anshu Kumar, son of Sri Kamleshwar Sharma, resident of village Karari,
P.S. Ara Muffasil, district Bhojpur Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Ravindra Kumar, Adv.

For the Opposite Party : Mr. Umeshnand Pandit, APP 187

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 01-03-2017 Heard the learned counsel for the petitioner
and the State.

This is a petition for grant of regular bail for offences under Sections 302, 307, 326, 324 and 120B of the Indian Penal Code and 3, 4 and 5 of the Explosive Substances Act.

According to first information report, a female exploded bomb in the Civil Court, Ara, to create panic so that two named accused would managed their escape. The female, who had exploded bomb, died and the two named accused, who were in jail and brought for Court attendance, managed their escape.

During the investigation, it revealed in the confessional statement of co-accused, Akhilesh Upadhyay @ Musa Upadhyay, who had fled away from police custody that the petitioner and others had hatched the plan, which was executed by that lady.

Submission of the petitioner is that the petitioner is in custody since 25.03.2015, he has got no criminal antecedent, charge sheet has already been submitted in this case and there is no allegation that he



would not cooperate with the trial or would tamper with the evidence. It is, further, submitted that co-accused, Rinku Yadav, having similar allegation, has been allowed regular bail by a coordinate Bench of this Court in Cr. Misc. No. 52652 of 2016 and some other co-accused have also been allowed bail by some other Benches of this Court.

The learned counsel for the State opposed the prayer on the basis of confessional statement of the co-accused against the petitioner, however, could not substantiate as to how the case of the petitioner is distinguishable from that of Rinku Yadav.

Considering the aforesaid fact as well as the period already undergone, the petitioner, above named, 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 in connection with **Sessions Trial No. 157** arising out of Ara Town P.S. Case No. 24 of 2015 to the satisfaction of the **Additional Sessions Judge, I, Bhojpur at Ara**, or successor Court.

(Birendra Kumar, J)

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