

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5713 of 2017

Arising Out of PS.Case No. -370 Year- 2016 Thana -NAWADA District- NAWADA

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1. Md. Raza, S/o Md. Moin Qureshi, R/o - Mohalla, Raja Nagar, Bhadauni,
P.S.- Nawada, Distt.-Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 01-03-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
05.07.2016 in connection with Nawada Town P. S. Case No. 370
of 2016 registered for the offence punishable under Section 307 of
the Indian Penal Code and 3/5 of Explosive Substance Act.

The prosecution case is that on 03.07.2016 at 12.50
A.M. in the night the informant and others woke up for Sehri. He
heard sound of Dhab-Dhab then the informant saw from window
that petitioner made murderous attack on him with bomb which hit
near the wall of window. In the meantime, the informant made
hulla, neighbours came and before arrival of patrolling party, the
petitioner and his two companions fled away.



It has been submitted by the learned counsel for the petitioner that he is innocent has no criminal antecedent and has been falsely implicated in the aforesaid offence as the petitioner was engaged as a labourer in the house of the informant and due to non payment of wages and in order to save his own skin, the present F.I.R. was lodged against him. In fact, the petitioner's mother has also lodged a case against the informant and others bearing Nawada Town P. S. Case No. 372 of 2016. He further submits that charge sheet has already been submitted, hence there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Considering the facts and circumstances and materials on record, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nawada in connection with Nawada Town P. S. Case No. 370 of 2016, subject to the condition that the petitioner is directed to appear before the police/ Court on each and every date and failure to appear before the Court below on



two consecutive dates without assigning any reason will entail cancellation of his bail bond.

(Nilu Agrawal, J)

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