

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6657 of 2018

Arising Out of PS.Case No. -165 Year- 2014 Thana -AMNAUR District- SARAN

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1. Raju Sahani @ Langra, Son of Harihar Sahani, Resident of Village-
Marwar Basaya, P.S.- Panapur, District- Saran. Petitioner.

Versus

1. The State of Bihar. Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

03 20-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Amnaur P.S. Case No.
165 of 2014 registered under Section 447/427/120B/34 of the
Indian Penal Code and Section 34 of the Explosive Substance Act
and Section 16 (1) b, 16 (a), 18, 19, & 20 of the unlawful
Activities Act.

Seven accused persons including the petitioner are
said to have blown the brick kiln by exploding the L.P.G. gas
cylinder.

It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in this case. The
allegation levelled against the petitioner is not specific rather
general and omnibus in nature. He has no concern with the
aforesaid occurrence. He is neither named in the F.I.R. nor was



apprehended on the spot. No incriminating article has been recovered from his conscious physical possession. There is nothing on record indicating the complicity of the petitioner in the occurrence barring his confessional statement given before the police which has no evidentiary value in the eye of law. Though three others criminal cases have been lodged against the petitioner but he is on bail in all the aforesaid cases. The petitioner has been languishing in custody since 11.03.2016. Similarly situated co-accused Vikash Rai @ Vikash Kumar Rai has been enlarged on bail by a co-ordinate bench of this court in Cr. Misc. No. 58640 of 2015 vide order dated 01.02.2016 while other accused has been enlarged on bail by the learned lower Court.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged 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-10th, Saran at Chapra in connection with Sessions Trial No.569/2016, arising out of Amnaur P.S. Case No.165 of 2014.

(Prakash Chandra Jaiswal, J)

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