

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63413 of 2017

Arising Out of PS.Case No. -260 Year- 2016 Thana -JHAJHA District- JAMUI

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1. Prahalad Barnwal @ Pramod Barnwal @ Pradip Barnwal @ Lambu S/o
Late Ayodhya Barnwal, R/o Village- Bahirbatari, P.S.- Sono (Charka
Pathar), District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. Sri Ahmad Ali

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 15-01-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Jhajha P.S. Case No.260 of 2016 registered for the offences
punishable under Sections 3/4 of the Explosive Substance Act
and Sections 16, 17, 18, 19, 20, 21 and 22 of Unlawful Activities
(Prevention) Act.

It is alleged that, on secret information that a group of
armed naxalites are doing meeting, the police party rushed there
and apprehended one Fitlal Hembrum, who disclosed the name of
other miscreants. On the said disclosure, the police apprehended
one Surendra Yadav @ Sulo da, who disclosed the name of this
petitioner. Except the disclosure of name in second confessional
statement, there is nothing against the petitioner except some



antecedent only on the basis of which police has registered a case against the petitioner. The petitioner is in custody since 25.05.2017. The petitioner has been allowed bail in four cases.

The learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer of bail is allowed. The petitioner, named above, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Jamui in connection with Jhajha P.S. Case No.260 of 2016, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) If the petitioner is found involved in future in similar type of allegation, the prosecution will have liberty to move for cancellation of bail.
- (iv) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

Harish/-

(Sanjay Kumar, J)

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