

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41227 of 2018

Arising Out of PS.Case No. -56 Year- 2014 Thana -MUFFASIL District- AURANGABAD

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1. Anand Mishra, S/o Purshottam Mishra, Resident of Sripur, P.S.-
Adalhat, District- Mirzapur (U.P.).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 13-08-2018 Heard learned counsel for the petitioner as well as the

State.

The petitioner apprehends his arrest in Muffasil P.S.
Case No. 56/2014, instituted for the offences punishable under
Section 414/34 of the Indian Penal Code read with Sections 3, 4
and 5 of Explosive Substance Act.

Learned counsel for the petitioner submits that he has
license for selling the explosive substance.

Learned Additional P.P. has submitted that in the
case diary it has been mentioned that during investigation it has
come that aforesaid substance was seized from possession of two
accused persons, namely, Md. Imteyaz and Pervez Alam, which
was sold by shop of petitioner.



Learned counsel for the petitioner submits that he had sold those explosive substances to Sri Maa Laxmi Traders and same batch number of explosive was found in Kudra. The petitioner was also made accused in Kudra P.S. Case No. 57/2014 which was registered for the offence under Sections 4 and 5 of the Explosive Substance Act. He is on bail in that case.

From the allegation in the F.I.R., it appears that the police during investigation found that the explosive substance of the shop of the petitioner was found from the vehicle, which was seized by the police force. The petitioner has been made accused in similar type of case earlier also.

Considering the aforesaid facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

The petitioner is directed to surrender before the Court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail, which shall be considered on its own merit without being prejudiced by this order.

(Sanjay Priya, J.)

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