

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48081 of 2018

Arising Out of PS. Case No.-14 Year-2014 Thana- DUMARIYA District- Gaya

Chandeshwar Rajak @ Teyagi Jee @ Shiv Shankar @ Shiv Shankar Dhobi @
Baba, S/o Karmu Rajak, resident of Village- Pachariya, P.S.- Rafiganj,
District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma
For the Opposite Party/s : Smt Indu Kumari Srivastava

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 28-09-2018 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in a case registered under
Sections 147, 148, 149, 435, 436 and 120B of the Indian Penal
Code, Sections 3 and 4 of the Explosive Substance Act and
Section 17 of the C.L.A. Act.

Petitioner is said to be activist of MCC and he
along with 49 named and 50 other activists of MCC is said to
have exploded Airtel Mobile tower of Dumariya Bazar and
planted cane bomb on the road to cause damage to person and
property.

It is submitted by learned counsel for the
petitioner that no incriminating article has been recovered from
conscious physical possession of the petitioner. Petitioner has no



concern with the aforesaid occurrence. He has been falsely implicated in the case at the instance of his enemies. There is no eye witness of the occurrence. Allegation levelled against the petitioner is not specific rather general and omnibus in nature. Even care taker of the aforesaid mobile tower has not seen the petitioner in the occurrence. Identity and genuineness of the source of information naming the petitioner in the occurrence has not been mentioned in the written report. The petitioner has been languishing in custody since 06.06.2016.

Learned APP for the State opposed the prayer for bail.

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 Sub-Divisional Judicial Magistrate, Sherghati, Gaya in connection with Dumaria P.S. Case No. 14 of 2014, G.R. No. 394/14.

(Prakash Chandra Jaiswal, J)

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