

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67887 of 2018

Arising Out of PS. Case No.-222 Year-2018 Thana- BELHAR District- Banka

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Birendra Singh @ Birendra Kumar Singh, Son of Late Baleshwar, Singh,
Resident of Village-Dhoura, P.S.-Belhar, District-Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Sri Ramchandra Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 28-11-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Belhar P.S. Case No. 222 of 2018** registered for the offence punishable under Sections 414, 120B, 121A/34 of the Indian Penal Code and Section 4/5 of the Explosive Substances Act.

Allegation against the petitioner is of recovery of 100 Kg of Ammonium Nitrate from the godown built on the land of the petitioner.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case as he is father of accused Niraj Singh. It has been further submitted that Ammonium Nitrate is not used for making I.E.D bombs but it is also used as fertilizer. Petitioner has got no criminal antecedent and is in custody since 10.08.2018.



Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Banka**, in connection with **Belhar P.S. Case No. 222 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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