

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52794 of 2018

Arising Out of PS. Case No.-157 Year-2017 Thana- CHANDAN District- Banka

Prem Ray son of Bahadur Ray resident of village - Domanadih, P.S. Chandan (Anandpur), District - Banka.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad
For the Opposite Party/s : Mr. Smt. Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 11-12-2018 Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Chandan (Anandpur) P.S. Case No. 157 of 2017 for the offences punishable under Sections 121, 121(A), 120(B) of the Indian Penal Code, ¾ of Explosive Substance Act, 16,17, 18, 19, 20, 21, 22 of U.A. Act and section 17 of C.L.A. Act.

The allegation made in the FIR is that the petitioner is an active member of Naxal party and in collusion with co-accused Parbatia Devi hid two tins of explosive substance and some other substance used for preparation of bomb by burying the same in a ditch near the banks of Kathara river.

The learned counsel for the petitioner submits that barring one case in which the petitioner has been granted bail,



the petitioner has a fair antecedent. It is further submitted that the petitioner has been falsely implicated in the present case, which is apparent from the fact that no recovery has been made in presence of the independent witness as is also apparent from the seizure list which has been signed by the police personnel as witnesses and the same does not bear the signature of independent witness.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be released on regular bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned C.J.M., Banka, in connection with Chandan (Anandpur) P.S. Case No. 157 of 2017.

(Mohit Kumar Shah, J)

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