

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.66411 of 2018

Arising Out of PS. Case No.-233 Year-2010 Thana- MADANPUR District- Aurangabad

Baburam Bhokta Son of Late Sukhdeo Bhokta @ Lal Sukhdev Singh
Resident of Village-Barwasoi, Police Station Dhibra, Dist.-Aurangabad (Bihar)
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Purushotam Sharma

For the Opposite Party/s : Mr. Sri Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 22-11-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Madanpur P.S. Case No. 233 of 2010 registered for the offence punishable under Section 3/5 of Explosive Substance Act, 27 of Arms Act and Section 17 of C.L.A. Act.

Informant has alleged that on 28.10.2010 when he alongwith other police official were going to raid the extremist, he received information that land mines has been installed in the Jurahi Middle School. When police team reached in the middle school firing was made and thereafter fled away.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. No specific allegation has been made against petitioner. Other co-accused, namely, Naresh Singh Bhokta and Lala Yadav have



been granted bail by this Hon'ble Court passed in Cr. Misc. No. 14680 of 2011 and 33904 of 2011 and other co-accused, namely, Dhukkar Bhuiyan has also been granted bail vide Cr. Misc. No. 33513 of 2016. Petitioner is in custody since 23.06.2018.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Madanpur P.S. Case No. 233 of 2010 subject to the conditions that:-

(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 properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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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