

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3783 of 2019

Arising Out of PS. Case No.-322 Year-2018 Thana- MAJORGANJ District- Sitamarhi

Kanhai Singh @ Arbind Singh @ Kanhai, aged about 35 years (Male), son of Kailash Singh, Resident of Village- Kuwari Madan, P.S.- Mejorganj, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Mishra
For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 27-03-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 4/5 of Explosive Substances Act.

Informant is a Police Officer who has alleged that on 7.8.2018 on receiving confidential information that some miscreants were planning to enter in India from Nepal with arms and ammunition, he along with officials proceeded to the place of occurrence and saw that two persons boarded on a motorcycle were coming and on being searched, No.36 Hand Grenade 02 Nos. mobiles with SIM and motorcycle were recovered from the possession of the accused persons. One miscreant, namely, Amrendra Singh managed to flee away.



It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case due to village politics. It has further been submitted that recovery of the explosive has been made from the possession of the co-accused, Prince Kumar who has already been granted bail by a co-ordinate Bench of this Court vide Annexure 2. Petitioner is in custody since 8.8.2018.

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 court below where the case is pending in connection with Mejorganj P.S. Case No. 322 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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)

Sanjay/-

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