

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20075 of 2019**

Arising Out of PS. Case No.-367 Year-2016 Thana- BETTIAH CITY District- West
Champaran

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Bharat Patel @ Bharat Bhushan Patel, S/o Tarkeshwar Prasad @ Tarkeshwar
Bhagat, R/o village- Chargaha, P.S.- Bettiah Muffasil, District- West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Tapeshwar Sharma

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 02-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
19.03.2018 in a case registered for the offences punishable
under Section 387 of the Indian Penal Code and Sections 3/4 of
Explosive Substances Act.

The prosecution case is that on 11.07.2016 on the
house of the informant , a heavy explosion took place and when
the informant came outside of his house, he found a purcha
with a demand of extortion, leading to registration of the FIR
against unknown. The name of the petitioner sprang up on the
statement of spy.

It is submitted by learned counsel for the petitioner



that there is no recovery from possession of the petitioner and even assuming the accusation to be true, at best a case under Section 385 IPC is made out which is bailable. Moreover, similarly situated accused persons have been granted bail by different Co-ordinate Benches of this Court vide Cr. Misc. Nos. 63268 of 2018 and 59240 of 2018.

Learned APP submits that the name of the petitioner sprang up on the statement of spy and the petitioner is having a serious criminal antecedent.

Considering the fact that the material on record does not suggest that there is no recovery from the petitioner and investigation has already been concluded, let the above named petitioner be released on bail, on 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, Bettiah, West Champaran in connection with Bettiah Town P.S. Case No. 367 of 2016.

(Dinesh Kumar Singh, J)

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