

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.192 of 2019

Arising Out of PS. Case No.-47 Year-2013 Thana- KHUDWA District- Aurangabad

Sunil Singh, S/o late Bhuneshwar Singh, resident of Village, Kusho, P.S.
Obra, District, Aurangabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Opposite Party/s : Ms. Rita Verma

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 28-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Khudwan P.S. Case No. **47/13**,
S.T. No.471/13 / 179/17 registered for the offence punishable
under Sections 147, 148, 149, 302 and 427 of the Indian Penal
Code, Section 27 of the Arms Act, Section 3/4 of Prevention of
Damage of Public Property Act, Sections 3/4/5 of Explosive
Substance Act, Section 17 of C.I. Act (Criminal Law
Amendment Act) and Sections 10 and 20 of the Unlawful
Assembly Presentation Act.

Allegation in brief is that a land mine was blown up
by extremists outfit, as a result, informant's husband while
moving in vehicle, got trapped and all seven persons on vehicle
died.

Earlier the bail application of the petitioner has been



rejected vide order dated 14.05.2018 passed in Criminal Miscellaneous No.15827 of 2018 (Annexure 1) with a liberty to the petitioner to renew his prayer after six months if the trial is not concluded by the trial court within the aforesaid period. However, vide order dated 12.12.2018 passed in Cr. Misc. No.15827 of 2018, six months more time was allowed to conclude the trial by a co-ordinate Bench of this Court.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to local politics. It has further been submitted that there is no specific allegation of any overt act against the petitioner and there is no material against the petitioner in this case which connects his involvement in this case except suspicion that 100 villagers came there on the spot after hearing the noise of bomb blast in which petitioner was also a member only.

Learned counsel for the informant has vehemently opposed the prayer for bail of the petitioner.

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 Additional Sessions Judge-II-, Aurangabad in connection with Khudwan P.S. Case



No. 47/13, S.T. No.471/13 / 179/17, 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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