

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21666 of 2019

Arising Out of PS. Case No.-138 Year-2018 Thana- BEERPUR District- Begusarai

MD. AMJAD Son of Md. Matin @ Md. Moti @ Mustkeem Resident of
Village- Fulkari, P.S.- Birpur, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 09-04-2019 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner is languishing in judicial custody since 16.01.2019 in connection with Birpur P.S. Case No. 138 of 2018 for offences punishable under Sections 341, 504, 506 of the Indian Penal Code and Section 3/4 of the Explosive Substance Act.

The prosecution case, as lodged by the informant, is that while he was in his house in the night, the petitioner along with three co-accused Md. Matin, Md. Sahid and Md. Alam came and asked the informant to withdraw the case filed against them. The petitioner along with three others threw bomb on the informant which hit the terrace of the house.



It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. Earlier Alouli P.S. Case No. 26 of 2017 has been lodged against the petitioner by the informant's side and because of land dispute being on inimical terms the petitioner has been falsely implicated. He further submits that no injury has been caused on the informant's side and rather two cases have been lodged against the informant's side by the mother and father of the petitioner. It is further submitted that apart from Alouli P.S. Case No. 26 of 2017 in which he is on bail, the petitioner does not bear any other criminal antecedent.

However, learned APP for the State opposes the prayer for bail.

Considering the nature of allegations and the materials on record, let petitioner, above named, be enlarged 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 Addl. Chief Judicial Magistrate-I, Begusarai, in connection with Birpur P.S. Case No. 138 of 2018, subject to the condition that one of the bailors would be a close relative of the petitioner



having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

Rajesh/-

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