

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29149 of 2019

Arising Out of PS. Case No.-14 Year-2019 Thana- DANDKHORA District- Katihar

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ASHOK SHARMA @ ASHOK KUMAR SHARMA S/o Late Jagdish Sharma
R/o- Bhamraili, P.S.- Dandkhora, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjeev Kumar Singh
For the State	:	Mr.Indra Kumar Singh
For the Informant	:	Mr. Pravin Chandra Pd.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 23-07-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 307,120(B)/34 IPC and Section 3 and 4 of the Explosives Substances Act registered in connection with Dandkhora P.S. Case No. 14/2019.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion except which there is no other objective material to connect the petitioner with the alleged occurrence. There is past history of dispute between the parties as the informant had earlier also lodged Dandkhora P.S. Case No. 102 of 2018 against the petitioner. It is further submitted that no injury has been caused to anyone. Except the aforesaid Dandkhora P.S. Case No. 102 of 2018 lodged by the informant the petitioner claims clean antecedents.

4. Learned APP assisted by learned counsel for the informant appear and has been heard.

5. Learned APP invites reference to paras 4, 8 and 9 of the case diary to submit that materials found at the place of occurrence are indicative of a bomb having been exploded. He has however not



pointed out any objective material to connect the petitioner with the alleged occurrence nor there is any material to indicate injuries sustained by anyone.

6. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned SDJM, Katihar, in connection with Dandkhora P.S. Case No. 14/2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioner.
- ii. That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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