

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40121 of 2019**

Arising Out of PS. Case No.-309 Year-2018 Thana- WARISNAGAR District-
Samastipur

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SANDEEP KUMAR CHAUDHARY, S/o Ratan Lal Chaudhary @ Ratan Chaudhary, Resident of Village- Hansa, P.S. Warisnagar, District-Samastipur.

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Jitendra Narain Sinha, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 26-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 3 and 4 of the Explosive Substance Act, 1908, Section 27 of the Arms Act, Sections 307/34 of the Indian Penal Code registered in connection with Warisnagar P.S. Case No. 309 of 2018.

3. It is submitted that the petitioner has been falsely implicated on the accusation that he along with co-accused Munna Chaudhary @ Ankush Chaudhary and Guddu @ Avinash Pandit came on motorcycle exploded bomb on road and resorted to firing near Kashish enterprises, Nagarbasti. It is submitted that no one has sustained any injury which shows the falsity of the accusations. Similarly situated aforesaid co-accused Munna Chaudhary @ Ankush Chaudhary and Guddu @ Avinash Pandit have been granted anticipatory bail by this Court by order dated 18.06.2019 in Cr. Misc. No. 14308 of 2019 and Cr. Misc. No. 13896



of 2019 respectively. The petitioner is accused in one prior case in Warisnagar (Mathurapur O.P.) P.S. Case No. 267 of 2018 instituted against 9 named and 250 unknown persons.

4. 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 Chief Judicial Magistrate, Samastipur in connection with Warisnagar P.S. Case No. 309 of 2018, 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 cooperate 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) That 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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