

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47121 of 2019

Arising Out of PS. Case No.-146 Year-2018 Thana- BEUR District- Patna

Chanki @ Chaite @ Avinash Kumar @ Avinash Son of Ashok Kumar
Resident of Bahri Begumpur, P.S.- Bypass, District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajanan Mishra, Advocate
For the Opposite Party/s : Mr.Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 01-10-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner who is in custody since 18.05.2018 has filed the instant application for grant of bail in connection with Beur P.S. Case No. 146 of 2018 (District Patna) registered for the offence punishable under sections 324, 307, 353, 224, 511 and 120B of the Indian Penal Code, sections 3 and 5 of the Explosive Substance Act and sections 25(1-b)a, 26, 27 and 35 of the Arms Act to which subsequently sections 7,8 and 13 of the Prevention of Corruption Act 1988 was added.

As per the allegation in the FIR, while the prisoners were being transported from the jail premises to the Court and back to the jail premises, on the way back there was three bomb



blasts in the prisoners van as a result of which some of them were injured. On reaching Beur Jail, incriminating articles were recovered from Sonu Kumar, Sikandar Yadav and Md. Aslam. It is further alleged that the accused Sonu Kumar confessed before the police that he along with others had made plan of escape and that the petitioner had assured of providing assistance.

It is submitted by learned counsel for the petitioner that the petitioner was not in the prisoner's van where the blast is said to have taken place, he had absolutely no role to play, there is no material except for the confessional statement of Sonu Kumar made before the police which is not admissible, the petitioner is in custody since 18.05.2018 and that another FIR named co-accused Sunny Mallick has been enlarged on bail by order dated 06.05.2019 passed in Cr. Misc. No. 29042 of 2019.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the petitioner being in custody since 18.05.2018 and the co-accused has been enlarged on bail, the Court is inclined to enlarge the petitioner on bail. Let the petitioner, above named, be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Vigilance 1st Patna in connection with Beur P.S. Case No. 146 of 2018 (District Patna).

(Partha Sarthy, J)

Prakash/-

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