

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67626 of 2018

Arising Out of PS. Case No.-725 Year-2018 Thana- BIHTA District- Patna

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1. Afsana Bano @ Moni, Daughter of late Abdul Qayum @ Kaum Miyan Resident of Village Tara Nagar, P.S. Bihta, District- Patna.
 2. Md. Appu, Son of Emamuddin Resident of Village Char Hazaar , P.S. Maner, District Patna at Present Tara Nagar, P.S. Bihta, District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Kant Kumar

For the Opposite Party/s : Mr.Sri Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 22-01-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 420, 286/34 of the Indian Penal Code, Sections 4/5 of Explosive Substances Act and Section 63 of Copy Right Act.

The prosecution case as per the written report of Ranjeet Kumar Singh submitted to the Additional Chief Judicial Magistrate, Danapur is to the effect that on 04.07.2018 at 9.33 A.M., the informant received information on mobile phone that there is a blast in a house in village Taranagar. After having received such information, the informant along with the other police personnel reached at the spot. On enquiry being made, it



was found that eight FIR named accused persons including the petitioners were manufacturing fire crackers and during the manufacturing process, the blast took place, in which co-accused Md. Sonu @ Pyaju received grievous injury but he escaped from the scene subsequently, fire crackers and other articles were recovered from the house of co-accused Md. Sonu Alam and Md. Kalim @ Pappu.

It is submitted by learned counsel for the petitioners that only on the basis of suspicion, the petitioners have been roped in the present case as there is no recovery from the petitioners nor there is any blast or any sign of fire crackers being manufactured in their house have been found. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP after going through the case diary submits that on enquiry being made, it was found that the petitioners were also involved in the manufacturing of crackers.

Considering the suspicious nature of accusation, coupled with the statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below



within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- 1st, Danapur in connection with Bihta P.S. Case No. 725 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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