

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62666 of 2019

Arising Out of PS. Case No.-79 Year-2018 Thana- MOUZA HIDPUR District- Bhagalpur

KUNDAN YADAV Son of Shri Suraj Yadav Resident of Village-Marwa
Asthan, Maheshpur, P.S-Babarganj, District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad

For the Opposite Party/s : Dr. Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 04-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner who is in custody since 23.6.2018 has filed the instant application for grant of bail in connection with Sessions Trial No.219 of 2019 [Mojahidpur (Babarganj) P.S. Case No. 79 of 2018] (District-Bhagalpur) registered for the offence punishable under sections 323,341,307,337,504, 506 and 34 of the Indian Penal Code and section 3,4 and 5 of Explosive Substances Act.

As per the allegation in the FIR, the accused persons including this petitioner are stated to have hurled a bomb on the road in front of Durga Asthan. It is further submitted that this petitioner further hurled a bomb as a result of which the respondents and the villagers were injured. They were



taken to the Government hospital for treatment.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the F.I.R. are false, the petitioner is in custody since 23.6.2018 and one of the F.I.R. named accused Sagar Paswan has been enlarged on bail by order dated 20.6.2019 passed in Cr. Misc. No.37367 of 2019. It is further submitted that no injury has been caused to any one.

The application for bail was opposed by learned APP for the State.

Having heard learned counsel for the parties, it transpires that the ground for grant of bail to Sagar Paswan was personal enmity between the family of Sagar Paswan and that of the informant. Further, in view of the direct allegation against the petitioner in the F.I.R. as also the antecedent of the petitioner, this Court is not inclined to enlarge the petitioner on bail as such the application for bail is rejected.

(Partha Sarthy, J)

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