

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65422 of 2018

Arising Out of PS. Case No.-309 Year-2018 Thana- GAYA KOTWALI District- Gaya

Uttam Kumar Son of Shatrudhan Prasad Resident of Mohalla-Dholakiya
Gali,Swarajpuri Road,Makhlotganj,P.S. Kotwali,Distt.-Gaya(Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Adv & Mr. Priya Ranjan, Adv
For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 10-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Kotwali Gaya P.S. Case No. 309 of 2018** registered for the offence punishable under Sections 427, 387 of the Indian Penal Code and Section 3/4 of Explosive Substances Act.

Informant has alleged that in the night in his shop unknown persons hurled a bomb as a consequence of which the shutter of the shop was damaged and shop was filled with smoke. He has further alleged that one and half year before he had received a phone call for payment of ransom. FIR is against unknown.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on suspicion. Petitioner is not named in the FIR. Petitioner is in custody since 09.07.2018.



Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Gaya**, in connection with **Kotwali Gaya P.S. Case No. 309 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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