

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77915 of 2018

Arising Out of PS. Case No.-786 Year-2017 Thana- PHULWARISHARIF District- Patna

Zaid Anwar Son of Qaish Anwar Residnet of Khankah Mohalla, Police
Station - Phulwari. Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay
For the Opposite Party/s : Mr.Sri Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 04-01-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Phulwarisharif P.S. Case No. 786 of 2017
registered for the offence punishable under Section 3/4 of
Explosive Substance Act.

Allegation against petitioner is that while he
alongwith other co-accused were preparing bomb in the house
of co-accused Md. Mobin, the same was exploded and remains
of bomb explosion was seized by the police.

It has been submitted on behalf of the petitioner that
he is innocent and has been falsely implicated in this case. His
name has surfaced in this case on the basis of confessional
statement of co-accused Kamul Mallil @ Lulha. It has been
further submitted that similarly co-accused, namely Shahnawaz



Hussain @ Shainu and Md. Raja @ Raja Mallick have been granted bail by this Hon'ble Court vide order dated 06.03.2018 passed in Cr. Misc. No. 12622 of 2018 and vide order dated 25.04.2018 passed in Cr. Misc. No. 23612 of 2018 respectively. Petitioner is in custody since 18.01.2018.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Judge-XV, Patna, in connection with Phulwarisharif P.S. Case No. 786 of 2017 subject to the conditions that:-

(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 his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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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