

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2477 of 2020

Arising Out of PS. Case No.-903 Year-2019 Thana- JAHANABAD District- Jehanabad

MOHD. AARIF Son of Md. Khalik Resident of Village-Bijli Mohalla, P.S-
Jehanabad, District-Jehanabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lakshmi Kant Sharma, Advocate.

For the Opposite Party/s : Mr.Rina Sinha, APP.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 22-06-2020 This matter has been taken up through Video
Conferencing.

Heard the parties.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 285 and 286 of the Indian Penal Code and Sections 4/5 of the Explosive Substance Act.

According to F.I.R., crackers were recovered from the house of Md. Arshad.

Learned counsel for the petitioner submits that the said house was rented premise of the petitioner and the petitioner had valid license for selling crackers till 2017-18. Renewal of the license was awaited for the year 2019-20 when search was made. In the circumstance, offence under Explosive



Substance Act is not applicable against the petitioner.

Considering the nature of material, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Jehanabad P.S. Case No. 903 of 2019, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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