

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3641 of 2020

Arising Out of PS. Case No.-248 Year-2019 Thana- BANKA District- Banka

MD. SALMAN Son of Khurshid Alam @ Md. Khurshid Resident of Village -
Habibpur Momin Tola, P.S.- Habibpur, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda

For the Opposite Party/s : Mr.Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-01-2020 The petitioner seeks regular bail in connection with Banka (Barahat) P.S. Case No. 248 of 2019, registered for offences punishable under Sections 341, 323, 307 and 504 of the Indian Penal Code and Section 3 /4 of the Explosive Substance Act.

Allegation as per F.I.R. is that the petitioner was accompanying the co-accused Jibrayal, who was carrying a bomb, which exploded in his pocket.

It has been submitted on behalf of the petitioner that the F.I.R. itself shows that co-accused Jibrayal was carrying the bomb and not the petitioner. Further submission is that petitioner has no criminal antecedent and he has falsely been implicated in this case and he has been in judicial custody since 23.04.2019 and one of the co-accused having similar allegation



has already been enlarged on bail by a coordinate Bench of this Court vide order dated 17.10.2019 passed in Cr. Misc. No. 64665 of 2019

Heard learned A.P.P. also.

Having heard both sides, considering the submission as above, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Banka (Barahat) P.S. Case No. 248 of 2019, subject to the condition that petitioner will cooperate in disposal of trial and make himself available as and when required by the court below, failing which, the prosecution shall move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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