

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11504 of 2020

Arising Out of PS. Case No.-61 Year-2019 Thana- PALI District- Jehanabad

1. Ramashish Bind (M), aged about 60 years, Son of Late Chandradeep Bind, Resident of Village- Beldarichak, P.S.- Sigori, District- Patna.
2. Jitendra Bind (M), aged about 50 years, Son of Late Chandradeep Bind, Resident of Village- Beldarichak, P.S.- Sigori, District- Patna.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Sada Nand Roy, Advocate.
For the Opposite Party : Mr.Abhay Kumar Roy,A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-02-2020 Heard learned counsels for the petitioners, informant and learned counsel for the State.

The petitioners seek bail in a case for the offence registered under Sections 307, 302, 326, 120(B) of the IPC and 3/5 of Explosive Substance Act.

The prosecution story, in brief, is that on 15.06.2019 while the informant was participating in *Barat Party* at *Bandhuchak, Pali*, Jehanabad, all of a sudden, at about 2.45 A.M. in the night, a bomb was exploded by some unknown person causing injuries to some persons. It is further alleged that the informant's father has got serious injuries and when he was taking to Sadar Hospital, Jehanabad for his treatment, in the



way, he succumbed to the injuries. It is further stated that Bimlesh Kumar, Narendra Kumar, Amarjeet Kumar and Saroj have also got injuries and they were taken to Sadar Hospital, Jehanabad from where they were referred to P.M.C.H., Patna, for better treatment.

It has been submitted by learned counsel for the petitioners that the petitioners are languishing in custody since 16.11.2019. The petitioners have falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners are not named in the F.I.R. Their names have come in course of investigation where two witnesses have disclosed the name of the petitioners while their statement was recorded under Section 164 of Cr.P.C. Harendra Kumar and Sonadhari Kumar are the eye witnesses to the alleged occurrence. As per the said witnesses, one Karan and Sidharth had given *Bomb* to one Birendra Kumar Yadav and the said Birendra Kumar Yadav is said to have exploded the bomb which led to death of the deceased. As far as petitioners are concerned, the said witnesses have alleged that both the petitioners were also present at the time of occurrence. Except for this, there is no other substantive evidence to suggest the



implication of the petitioners in the present case.

On behalf of the State and informant, it is submitted that the petitioners are not named in the F.I.R. Their names have come in course of investigation.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jehanabad, in connection with Pali P.S. Case No. 61 of 2019.

(Sudhir Singh, J)

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