

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18713 of 2020**

Arising Out of PS. Case No.-367 Year-2016 Thana- BETTIAH CITY District- West
Champaran

=====

PRAKASH KUMAR @ PRAKASH KUMAR PATEL, Son of Sri
Ramchandra Prasad, Resident of Village - Banuchhapar, P.S.- Bettiah
Muffasil (Banuchhapar O.P.), District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate
For the State : Mr. Mohammad Arif, A.P.P.

=====

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

3 01-09-2020 Heard Mr. Umesh Chandra Verma, learned counsel

for the petitioner and Mohammad Arif, learned Additional

Public Prosecutor appearing for the State through video

conferencing.

Petitioner seeks regular bail in connection with

**Bettiah Town P.S. Case No. 367 of 2016 (Sessions Trial No.
237 of 2019)** registered for the offence punishable under Section
387 of the Indian Penal Code 1860 and Sections 3/4 of the
Explosive Substance Act.

The allegation against the petitioner as per the First
Information Report dated 12.07.2016 lodged by the informant
Motilal Prasad is to the effect that on 11.07.2016 while he was
on duty as Night Guard in Sai Sanjivini Hospital, at about 9:00



p.m., he heard the sound of explosion outside. It has further been alleged that in the next morning, the informant came out and found the Pamphlet of Royal Group, through which, extortion money was demanded from the doctors and staff of the Hospital.

Learned counsel for the petitioner submits that the petitioner is not named in the First Information Report. He has been falsely implicated in this case on the basis of confessional statement of co-accused Kunal Thakur who has already been granted bail by co-ordinate Bench of this Court vide order dated 30.11.2018 passed in Cr. Misc. No. 79882 of 2018. Learned counsel further submits that the petitioner was arrested in Bettiah Muffasil P.S. Case No.280 of 2016 and, thereafter, on the basis of his confessional statement, he has been remanded in 4-5 cases by the Police. Learned counsel referring to paragraph 13 of this petition submits that other co-accused persons, seven in numbers, have been granted bail by different co-ordinate Benches of this Court. The petitioner is similarly situated to them and no incriminating material has been recovered from possession of the petitioner. The petitioner is in custody since 19.03.2018.

Having regard to the submissions made by the parties



and taking into consideration the fact that other co-accused persons have already been granted bail by this Court, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail, if the petitioner is not required in any other case, on furnishing bail bonds of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned 9th Additional Sessions Judge, West Champaran at Bettiah, in connection with **Bettiah Town P.S. Case No. 367 of 2016 (Sessions Trial No. 237 of 2019)**, on the following condition:-

(i) that the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

S.Ali/-

U		T	
---	--	---	--

