

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21392 of 2020

Arising Out of PS. Case No.-86 Year-2013 Thana- KUDHNI District- Muzaffarpur

SUBODH BAITHA @ SUBODH KUMAR S/o Horil Baitha R/o Village-
Marvapakar, P.S.- Saraiya, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jyotsna Rani Mishra

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-07-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of
four weeks from the date of lifting of the lockdown in the State
of Bihar.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 147, 148, 149, 379, 427, 342 of the
Indian Penal Code and ¾ of Explosive Substances Act as well as
17 CLA Act.



Prosecution case in short is that on 17-04-2013, 15-20 persons having Lathi Danda and pistols in their hands, came at the brick kiln and exploded bomb near the brick kiln.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. Charge sheet/Prosecution report in this case has already been submitted. The petitioner is in custody since 17-01-2020. The petitioner is not named in the FIR. His name transpired in this case on the basis of disclosure made by co-accused. There is no recovery of any incriminating article from possession of the petitioner. Though the petitioner was put on TIP but he was not identified by the informant.

On behalf of the State, it is submitted that the petitioner is not named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, let the petitioner, above named, be released on bail on his personal bond to the satisfaction of learned Sessions Judge-cum-Spl. Judge, Muzaffarpur in connection with Tr. No. 5282 of 2014, Kudhani P.S. Case No. 86 of 2013.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with



two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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