

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27713 of 2020

Arising Out of PS. Case No.-268 Year-2019 Thana- NARDIGANJ District- Nawada

MD. TUFAIL S/o Late Md. Nabi Hasan Resident of Village-Nardiganj, P.S.-
Nardiganj, District-Nawada. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate
For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 03-12-2020 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Nardiganj P.S. Case no. 268 of 2019 registered under sections 201, 120B and 34 of the Indian Penal Code and sections 3, 4 and 5 of the Explosive Substances Act.

As per allegation in the FIR, information was received of a blast having taken place on the terrace of the house of one Md. Naushad. It is stated that search was carried out of the house of Md. Nausad and trace of explosion was found. It is further stated that on asking for the documents from Md. Naushad and his brother, the petitioner herein, no license was produced.

It is submitted by learned counsel for the petitioner that the allegation of an explosion having taken place is false and incorrect. Md. Naushad happens to be in the business of crackers. No incriminating material has been recovered from the possession of the petitioner who has been implicated in the case only for the reason that he happens to be the brother of Md.



Naushad. It is submitted that Md. Naushad has already moved for bail and as per instruction his application for anticipatory bail has been rejected by the learned Court below. The petitioner has no criminal antecedent and is in custody since 13.10.2019.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case together with the petitioner being in custody since 13.10.2019, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Nardiganj P.S. Case no. 268 of 2019 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Nawada.

(Partha Sarthy, J)

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