

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28350 of 2020**

Arising Out of PS. Case No.-438 Year-2019 Thana- JAYNAGAR District- Madhubani

Md. Saddam @ Chhotu, S/o Md. Sabir, Resident of Village-Bahelva Tola,
Ward no.17, P.S.-Jaynagar, District-Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 14-12-2020 Heard learned counsel for the parties through Video Conferencing.

Petitioner seeks bail in a case registered for the offence punishable under Section 3/4 of Explosive Substance Act and 27 of Arms Act.

As per the prosecution case, on a secret information received by the informant, that some miscreants have thrown bomb near Ram Babu's brick kiln, a raid was conducted and three country-made bomb and some articles were recovered.

It is submitted on behalf of the petitioner that



petitioner has been named in this case on the basis of confessional statement of co-accused and remanded in this case from Jaynagar Police Station Case No. 437 of 2019. It is further submitted that no incriminating article has been recovered from the physical possession of the petitioner and recovery has been made from a plain field near brick kiln. Petitioner is in custody since 20.12.2019 and charge-sheet has already been submitted.

However, learned A.P.P. for State has vehemently opposed the prayer for bail.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Madhubani in Jaynagar Police Station Case No. 438 of 2019, on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the



witnesses, in that case the prosecution will be at liberty to move
for cancellation of bail.

(Prabhat Kumar Singh, J)

Ankit/-

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