

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34958 of 2020

Arising Out of PS. Case No.-99 Year-2020 Thana- CHAKAI District- Jamui

PAPPU MANDAL Son of Sri Bicho Mandal Resident of Village- Nepodih,
P.S.- Devipur, District- Deoghar (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha, Advocate

For the Opposite Party/s : Mr. Anand Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-12-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel appearing for the petitioner and Shri Anand Kumar, learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Chakai P.S. Case No. 99 of 2020 for the offence punishable under Sections 124(A), 120(B)/34 of the Indian Penal Code and Sections 3/4 of the Explosive Substance Act.

The informant is stated to have received secret information, whereupon he along with his police force had gone to the Sarona border where he saw that one person riding on his Splendor motorcycle, carrying some articles in two sacks loaded



on the said motorcycle was entering the Bihar border and when he was stopped, he tried to flee away but was apprehended by the police and he disclosed his name as Mansoor Ansari whereupon search was made and 300 pieces of Gelatin I.D.L explosive, detonating explosive wire etc. were recovered from the sacks. It is further alleged that upon interrogation the arrested accused person disclosed that he was going to supply the same to the petitioner herein. It is also alleged that the police force had then departed with the said arrested accused person and at the bridge situated near the Chitardih Jungle, one person was found sitting on a motorcycle and waiting for someone. It is alleged that the said arrested person had identified the said person sitting on the motorcycle to be the petitioner herein, who upon being arrested disclosed that his brother-in-law Manoj Mandal had sent him to receive the explosive materials from the arrested Mansoor Ansari.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and he is languishing in custody since 03.06.2020. The learned counsel for the petitioner has further submitted that explosive substance has not been recovered from the possession of the petitioner and he



has been falsely roped in the present case.

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

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the fact that the explosive substance has not been recovered from the conscious possession of the petitioner and the petitioner is having a clean antecedent as also he is languishing in custody since 03.06.2020, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui in connection with Chakai P.S. Case No. 99 of 2020.

(Mohit Kumar Shah, J)

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