

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20669 of 2021**

Arising Out of PS. Case No.-135 Year-2020 Thana- HABIBPUR District- Bhagalpur

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DHIRAJ KUMAR, Son of Gopal Paswan, Resident of Village - Salepur,
Kahar Toli, P.S.- Habibpur, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Bihari Singh, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 09-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under section 307 of the Indian Penal Code, sections 3 and 4 of the Explosive Substance Act and section 37(c) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, while the informant was returning on his tractor, it is stated that a bomb was thrown. Thereafter, the informant went and informed the police who came to the place of occurrence and took the petitioner in custody. The petitioner was in an intoxicated state.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and concocted. The petitioner has been falsely implicated in the case



because of his antecedent. It is submitted that the distance of the police station from the alleged place of occurrence is more than half km and if the narration in the FIR is to be believed, the petitioner continued to remain at the place of occurrence till the informant went and got the police, which in itself is unbelievable. The petitioner is in custody since 9.9.2020 and chargesheet has been submitted.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner together with the petitioner having remained in custody for about 1 year, the petitioner is directed to be enlarged on bail in connection with Habibpur P.S. Case no. 135 of 2020 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 2nd Addl. District & Sessions Judge – cum – Special Judge, Excise, Bhagalpur.

(Partha Sarthy, J)

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