

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24525 of 2021**

Arising Out of PS. Case No.-38 Year-2013 Thana- SALAIYA District- Aurangabad

BIHARI RAWANI @ BIHARI CHANDRAVANSHI @ BIHARI JI @
SHYAM BIHARI PRASAD SON OF LATE SHANKAR
CHANDRAVANSHI R/O VILLAGE- JUGHARPUR, P.S.- GOH,
DISTRICT- AURANGABAD.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Adv.

For the Opposite Party/s : Mr. Rana Randhir Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 17-11-2021 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Salaiya P.S. Case No. 38 of 2013 for the offence under Section
414 of the Indian Penal Code, Section 25(1-b)A and 26 of the
Arms Act, Section 3/4 of the Explosive Substance Act and
Section 17 of the C.L.A. Act as well as Section 10 of the
Unlawful Activity Act.

On search, a bunker full with weapons and
explosive substance has been recovered.

Learned counsel appearing for the petitioner
submits that petitioner is innocent and has not committed
any offence. In fact, nothing incriminating has been



recovered from the possession of the petitioner or from his house. Altogether 15 persons including the petitioner have been made accused in this case on the basis of secret information but no specific case is made out against the petitioner. Moreover, co-accused, namely, Bishundeo Mistri @ Sunni Jee @ Sunni Mistri, having more or less similar allegation has been granted regular bail by a co-ordinate Bench of this Court vide order dated 30.06.2021 passed in Cr. Misc. No. 24602 of 2017. The petitioner is rotting in judicial custody since 17.07.2018.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Aurangabad in connection with Salaiya P.S. Case No. 38 of 2013 subject to 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 canceled 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.

(Rajesh Kumar Verma, J)

braj/-

U		T	
---	--	---	--

