

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29816 of 2021

Arising Out of PS. Case No.-23 Year-2013 Thana- DUMARIYA District- Gaya

INDRAJEET JEE @ KAPIL YADAV @ KAPIL KUMAR @ INDRAJEET
JEE, Son of Late Rampati Yadav, Resident of Village- Mahulania, P.S.-
Chhakerbandha, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 24-08-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual Court proceedings.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 147, 148, 149, 307 and
120(B) of the Indian Penal Code, under Sections 3, 4 and 5 of
Explosive Substance Act and under Section 17 of C.A.L. Act.

The prosecution case, in brief, is that on 05.04.2013,
the informant alongwith other police officials departed towards
Chhakarbandha Jungle and as soon as they reached near
Babhana Pahari, they found some explosive under ground the
land i.e. pressure cooker bomb, pipe bomb, wire etc. The
abovesaid explosive substance was fitted by active members of
Maobadi in the FIR and others unknown 100-200 Maobadi



members for damage the police forces.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that nothing incriminating articles has been recovered from the conscious possession of the petitioner. The petitioner was not apprehended on the spot and he has been made accused on the basis of suspicion. The petitioner is in judicial custody since 17.04.2015. The petitioner has five criminal antecedents which is mentioned in para 3 of the bail petition.

Learned APP for the State vehemently opposed the prayer for bail petition and submits that the petitioner is the member of Maobadi.

From perusal of record and case diary, it appears that all the prosecution witnesses have supported the prosecution case.

Considering the aforesaid facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected in connection with Dumariya P.S. Case No. 23/2013 from the Court of learned S.D.J.M., Sherghati (Gaya).

Accordingly, this application is dismissed.



However, the petitioner is at liberty to renew his
prayer for bail after framing of charge.

(Anjani Kumar Sharan, J)

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