

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34983 of 2021**

Arising Out of PS. Case No.-34 Year-2013 Thana- CHANAN District- Lakhisarai

FANTUSH YADAV @ FANTUSH DAS S/o Kailash Das R/o village-
Singhoul, P.S.- Kajra, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Satyadeo Singh Yadav, APP

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

2 09-09-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 307 and some other Sections of the the Indian Penal Code, u/s 3/4 of Explosive Substance Act and u/s 16, 18(b), 20 of the UAP Act.

As per the prosecution case, the informant got information that firing is being made after stopping Dhanbad Patna Intercity express train and on such, he along with other police personnel reached the place of occurrence and saw that a large crater has been made after exploding bomb. The informant suspected that explosion has been made by the unknown Naxalites for killing the police personnel and looting their arms.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the



case. No incriminating article has been recovered from the conscious possession of the petitioner and this petitioner has been made accused in this case only on suspicion on account of his criminal antecedents. Similarly situated, Dharmendra Kumar Das @ Dharo Das, Karelal Kora @ Kare Kora and Mantu Kora have already been granted bail by co-ordinate Benches of this court vide orders passed in Cr. Misc. No. 79941/ 2018, 26312/2019 and in Cr. Misc. No. 1588/2021. Petitioner is in custody since 16.03.2020 and investigation in this case is complete .

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, 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 Additional Chief Judicial Magistrate-I, Lakhisarai in connection with Chanan PS case No. 34/2013 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)

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