

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33910 of 2021

Arising Out of PS. Case No.-218 Year-2019 Thana- MOUZAHDIPUR District- Bhagalpur

CHHOTU YADAV SON OF YUGAL PRASAD YADAV Resident of Village
- Uper Gangti, P.S.- Mojahidpur (Babarganj), Distt.- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Syed Masleh Uddin Ashraf
For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-12-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner seeks bail in connection Mojahidpur
(Babarganj) P.S. Case no. 218 of 2019 registered for the offence
punishable under sections 385, 387, 506/34 of the Indian Penal
Code read with sections 3, 4 and 5 of the Explosive Substance
Act.

Learned counsel for the petitioner submits that
petitioner is in custody since 04.08.2019 and charge sheet has
been submitted in this case. Learned counsel for the petitioner
further submits that from perusal of the allegation as alleged in
the FIR, it would manifest that the informant SHO, Babarganj
OP alleged that on 3.8.2019 at 17.30 p.m., he received secret
information for movement of miscreants near Aliganj Chowk



and when the police reached there petitioner was apprehend and on search one box containing explosive alleged to have been recovered from possession of the petitioner. Learned counsel submits that nothing has been recovered from his possession and seizure list was prepared prior to institution of FIR.

Learned APP opposes the prayer for bail.

Considering the facts that petitioner is in jail custody since 04.08.2019, charge sheet has been submitted, the petitioner is directed to be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhagalpur in Mojahidpur (Babarganj) P.S. Case no. 218 of 2019.

(Satyavrat Verma, J)

s.hassan/-

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