

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37741 of 2021

Arising Out of PS. Case No.-438 Year-2019 Thana- JAYNAGAR District- Madhubani

ABHISHEK MISHRA Son of Sunil Kumar Mishra Resident of Village-
Mahadev Mandir, Dumantha, P.S.- Pandaul, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Shubham

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-12-2021 Heard learned counsel for the petitioner, learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Jaynagar P.S. Case No. 438 of 2019 dated 29.08.2019,
registered under Sections 3 and 4 of the Explosive Substances
Act and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 04.01.2020, charge-sheet has been
submitted and from perusal of the allegation as alleged in the
F.I.R. it would manifest that the informant alleges that he
received secret information on 29.08.2019 at 8:20 AM that some
miscreants have kept some explosive (Bomb) near chimney of
one Rambabu. Accordingly, the informant reached the place of
occurrence and recovered three bomb and one cartridge from the
place of occurrence and accordingly, the F.I.R. was instituted



against unknown. Learned counsel submits that admittedly the petitioner is not named in the F.I.R. and his name has come based on the confessional statement of co-accused Md. Saddam. Learned counsel further submits that neither it is alleged in the F.I.R. that the bomb was kept for some ulterior reason or the miscreants in furtherance of their common intention had planted the aforesaid bomb near the chimney of one Rambabu.

Learned APP for the State opposes the prayer of regular bail application of the petitioner and said that the petitioner has four antecedent.

Considering the fact that the petitioner is in custody since 04.01.2020, charge-sheet has been submitted in this case and the petitioner, is a person with clean antecedent, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1, District- Madhubani in connection with Jaynagar P.S. Case No. 438 of 2019, subject to condition that the petitioner will keep marking his attendance in the concerned police station in between 20-25 of every month commencing from January, 2022 till framing of charge. The concerned P.S. on 28 of every month commencing from January



2022 will keep informing the learned court below that the petitioner has been marking his attendance in between aforesaid date, in the event, it is reported that the petitioner has not marked his attendance in between 20-25 of every month commencing from January 2022 till framing of charge, the Court below will proceed to cancel his bail bond.

(Satyavrat Verma, J)

Ranjeet/-

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