

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40011 of 2020

**Arising out of P.S. Case No. 626, year- 2019, Thana- Amarpur District
Banka**

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1. Guddu Thakur @ Bittu Thakur, aged 25 years (male) son of late Kanhai Thakur.
 2. Sunita Devi @ Chulho Devi, aged 50 years (female), W/O Late Kanhai Thakur, both resident of village- Dumrama, Ward No. 03, P.S. Amarpur, District Banka.
 3. Soni Devi, aged 32 years (female), w/o Dharmendra Thakur, resident of village Sanjha, P.S. Rajoun, District Banka

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opp. Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Adv.

For the Opp. Party/s : Mr. Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 03-06-2021

The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the parties.

The petitioners apprehend their arrest in connection with Amarpur P.S. Case No. 626 of 2019 for the offence punishable under sections 341, 323, 447, 307, 354/34 of the Indian Penal C of Explosive Substance Act.



The allegation is regarding the petitioner no.1 having thrown a bomb on the informant and her husband with an intention to kill them.

The learned counsel for the petitioners has submitted that the petitioners are innocent, have been falsely implicated in the present case and are having a clean antecedent. The learned counsel for the petitioners has further submitted that the petitioner no. 1 is the brother-in-law, the petitioner no.2 is the mother-in-law and the petitioner no. 3 is the sister-in-law (nanad) of the informant and on account of family dispute, they have been falsely implicated in the present case, although the fact is that a bare perusal of the injury report would show that there is no bomb injury and moreover, the injury has been found to be simple in nature. Thus, it is submitted that a false story has been cooked up in order to falsely implicate and harass the petitioners.

Per contra, the learned APP for the State, Shri Ashok Kumar has vehemently opposed the prayer of the petitioner for grant of anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the Ld. Counsel for the parties and taking into account the materials available on record as also



fact that neither the informant nor

her husband have sustained bomb injury, apart from the fact that the petitioners are having a clean antecedent, I deem it fit and proper to admit the petitioners herein to the privilege of anticipatory bail

Accordingly, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, the petitioners, above-named, shall be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate/ successor Court, Banka in connection with Amarpur P.S. Case No. 626 of 2019, subject to the conditions as laid down under section 438(2) of the Cr. P.C.

(Mohit Kumar Shah, J)

Tiwary/-

