

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.485 of 2021

Arising Out of PS. Case No.-372 Year-2019 Thana- AMARPUR District- Banka

Antu Yadav @ Sintu Kumar Son Of Late Bateshwar Yadav Resident of
Village - Dharmpur, P.S.- Amarpur, Distt.- Banka.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee
For the State : Ms. Rita Verma APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 08-03-2021 Heard learned counsel for the petitioner and the learned
APP for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

The petitioner seeks bail in Amarpur PS Case No 372 of 2019, instituted for the offence under Sections 324 and 307/34 of the Indian Penal Code and Section 3/4 of the Explosive Substances Act,1908.

While the informant was sitting with his wife and his son, it is alleged that the petitioner and two co-accused persons have come and started hurling abuses and it is alleged that co-accused, namely, Bibek Yadav @ Bibekanand Yadav @ Bibeka Yadav had exploded a bomb.

The petitioner's counsel submits that the bomb explosion is attributed against co-accused, namely, Bibek Yadav @ Bibekanand Yadav @ Bibeka Yadav. The petitioner, even as per



the prosecution case, was, at best, accompanying them. It is further submitted that the injuries which have been found at the medical examination do not corroborate the allegation of any bomb explosion. The co-accused, namely, Bibek Yadav @ Bibekanand Yadav @ Bibeka Yadav, against whom, there is an allegation of hurling the bomb, has been allowed provisional bail in Cr Misc No. 7591 of 2020. Having no criminal antecedents the petitioner is stated to be in custody since 24.07.2020.

The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, 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 the learned Chief Judicial Magistrate, Banka/successor Court, in connection with Amarpur PS Case No 372 of 2019, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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