

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2158 of 2021**

Arising Out of PS. Case No.-156 Year-2020 Thana- BAUNSI District- Banka

Om Prakash Yadav Son of Chandrakant Yadav Resident of Village -
Bishanpur, P.S.- Bounsi, Distt.- Banka.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 19-03-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail

in connection with Bounsi P.S. Case No. 156 of 2020

registered for the offences punishable under Section 3, 4, 5 of

Explosive Substance Act.

As per the prosecution story, the informant received

an information that a bomb blast has taken place in the house

of the petitioner, during the course of investigation, the

informant found that bomb blast took place inside the house.

On interrogation, the petitioner confessed that due to land



dispute he had concealed two bombs in a plastic container under the ground long time ago and forgot to remove.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case only on suspicion, the explosion of bomb was done by unknown criminals. Learned counsel submits that so far as the present petitioner is concerned, he has no criminal antecedent and nobody has got injured in the alleged bomb explosion. Petitioner is in custody since 05.07.2020.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case, wherein it is the submission of learned counsel for the petitioner that the petitioner has been falsely implicated in this case, the explosion of bomb was done by the unknown criminals, so far as the present petitioner is concerned, he has no criminal antecedent and nobody has got injured in the alleged bomb explosion which had taken place inside the house of this petitioner, the petitioner has remained in jail in connection with the present case since 05.07.2020, investigation against him is complete and there is no submission on behalf of the State that his release is likely to



result in tampering with the evidence or interfering with the course of trial, let the petitioner above named be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate/Successor Court, Banka, in connection with Bounsi P.S. Case No. 156 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for



cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

