

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66834 of 2019

Arising Out of PS. Case No.-117 Year-2011 Thana- GURUA District- Gaya

KAIL PRAJAPAT @ AKASH JI, aged about 50 years (Male), son of
Indradeo Prajapati, resident of village- Ajan, P.S.- Goh, Distt.- Aurangabad
(Bihar)

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Advocate

For the Opposite Party/s : Mr. M.K. Nirala, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

15 05-02-2021 Heard learned counsel for the petitioner and
learned APP for the State.

A supplementary affidavit has been filed for
making necessary correction in the bail petition. Accordingly,
the correction will be made in the bail petition.

In this case, the petitioner is seeking regular bail in
connection with Gurua P.S. Case No.117 of 2011 (G.R. No.
1331/ 2011), registered for the offence under Section 3 / 4 of the
Explosive Substance Act, under Sections 13, 14, 17 and 18 of
U.L.A.P. Act and under Section 17 of the C.L.A. Act.

The Police received secret information that
offending materials have been collected by the Naxals to utilize
the same against the administration. The Police party raided the
place and found the information to be correct. The petitioner has



been made accused in the present case along with his associates.

Learned counsel for the petitioner submits that the petitioner is quite innocent and has falsely been implicated in this case. He further submits that the petitioner is in jail custody since 30.08.2017.

Looking to the period of custody, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Sherghati, Gaya, in connection with Gurua P.S. Case No. 117 of 2011 (G.R. No. 1331 / 2011) subject to the condition that (i) the petitioner would cooperate in the proceeding of the court below. In the event of failure to appear on two consecutive dates, the court below will be at liberty to pass appropriate order including cancellation of bail bonds of the petitioner and (ii) the petitioner shall report to Gurua Police Station, District- Gaya (Bihar) by 7th of every month till 12 months, failing which, the prosecution will be at liberty to make prayer for cancellation of bail bonds of the petitioner.

(Shivaji Pandey, J)

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