

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11472 of 2022

Arising Out of PS. Case No.-247 Year-2021 Thana- BUNIYAD GANJ District- Gaya

KARAN KUMAR @ RAHUL KUMAR SON OF BIHARI PRASAD @
BIHARI SAO RESIDENT OF MOHALLA- SHIV CHARAN LANE, NEAR
DEVI ASTHAN, MANPUR P.S.- BUNIYADGANJ, DISTRICT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar

For the Opposite Party/s : Mr.Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 13-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with
Buniyadganj P.S. Case No. 247 of 2021, for the offence
punishable under Sections 394 and 307/34 of the Indian Penal
Code and Section 3/4 of the Explosive Substance Act.

The prosecution case, in brief, is that on 12.11.2021
while informant along with his father-in-law was sitting in the
house, in the meantime, three miscreants with intention to
commit robbery switch off the light, when informant asked
them, all miscreants threw bomb on the informant with intention
to kill due to which he sustained injuries. On raising hue and cry



local people reached there and caught the miscreants. All miscreants revealed their names as Raja Kumar Tanti, Karan Kumar @ Rahul Kumar (Petitioner) and Suraj Kumar @ Akash Kumar. The accused persons also sustained minor injuries while fleeing from the place of occurrence.

Learned counsel appearing on behalf of the petitioner submits that the petitioner was one of the members of the Barat in which accidentally crackers burnt and informant sustained injury. He further submits that no case of robbery is made out against the petitioner nor he had any motive or intention to kill the informant. The petitioner has clean antecedent and he is in custody since 17.11.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner and submits that petitioner was possessed with live bomb and the same had injured the informant.

Taking into consideration the nature of allegation made in the F.I.R. as well as the fact that nothing has been recovered from the conscious possession of the petitioner. The petitioner has made his specific statement that he was member of the Barat and accidentally the alleged crackers misfired and injured the informant. The petitioner has clean



antecedent. The Chargesheet has already been submitted and there is no allegation of tampering of evidence and influencing the witnesses. The petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-8, Gaya in connection with Buniyadganj P.S. Case No. 247 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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