

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22831 of 2021

Arising Out of PS. Case No.-302 Year-2020 Thana- KHIJARSARAI District- Gaya

JITENDRA KUMAR, Son of Sri Rajendra Prasad @ Rajendra Yadav
Resident of Village- Hajipur Natai, P.S.- Khudaganj, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate

Mr. Shashank Shekhar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 18-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. appearing 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, who is in custody since 05.10.2020
seeks regular bail in connection with Khijarsarai P.S. Case No.
302 of 2020, for the offence punishable under Section 3 / 4 of
the Explosive Substance Act and Section 16, 18 and 20 of the
U.A.P. Act, pending in the Court of learned Addl. Chief
Judicial Magistrate-IV, Gaya.

The prosecution case, in brief, is that the petitioner
along with others were found in suspicious condition and on
search, a white plastic bag containing 25 pieces of explosive on



which powergel 901, explosive 25 mm x 1259, was written, having manufactured by Indian Explosives Private Limited, Gonia, was recovered from the possession of the petitioner. Accordingly, the seizure-list was prepared.

Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in this case. The petitioner cannot be said to be the carrier because other five persons, named in the F.I.R., were also there. The petitioner, who is very young boy has been implicated in this case on mere suspicion, who had no knowledge that the plastic bag contains explosive items. He further submits that the petitioner has no criminal antecedent.

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

Having considered the facts and circumstances of the case and nature of allegation against the petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for grant of bail to the petitioner, above named, is rejected.

(Purnendu Singh, J)

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