

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20515 of 2022**

Arising Out of PS. Case No.-343 Year-2020 Thana- NATHNAGAR District- Bhagalpur

Govind Yadav @ Govna S/o Late Naresh Yadav Resident of Village- Velseera,
P.S.- Kajrali, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Advocate
For the Opposite Party/s : Mr.Madhura Nand Jha, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 02-11-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Hard copy submitted by the learned counsel for the
petitioner in terms of defects, as pointed out by the office.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Nathnagar (Madhusudanpur) P.S. Case No. 343 of 2020
registered for the offence under Sections 3 and 4 of the
Explosive Sentence Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 06.01.2022.

The allegation against the petitioner is to involve in
illegal manufacturing of bomb, along with other co-accused



persons, in an orchard, where petitioner was alleged to be the care taker.

Learned counsel appearing on behalf of the petitioner submitted that informant is not the eye witness of the occurrence, where entire allegation against this petitioner is based upon hearsay input. It is submitted that, merely, as petitioner is care taker of said orchard, where occurrence took place, which is an open place and accessible by general public, he was named in this occurrence. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation of this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

In view of the facts and circumstances, as mentioned above, as implication of this petitioner, in the present case, is based upon hearsay input, as per FIR itself coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Nathnagar (Madhusudanpur) P.S. Case No. 343 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



learned Chief Judicial Magistrate, Bhagalpur/concerned court,
subject to the following conditions:

“(i) That petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(iii) That one of the bailors of the petitioner shall be deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

R.S.Sen/-

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