

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28757 of 2021

Arising Out of PS. Case No.-660 Year-2020 Thana- AMARPUR District- Banka

MD REHA S/o Late Md. Salim R/o village- Amarpur, P.S.- Amarpur, District-
Banka Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-02-2022 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Amarpur P.S. Case no. 660 of 2020 instituted for the
offence under Section 4(D) of Explosive Substance Act.

As per allegation in the FIR, petitioner is indulged in
the business of fire-crackers without having a valid license.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has been falsely
implicated in this case. Petitioner is owner of fire-crackers shop



having licence no. 01/2012 and his application for renewal of licence is pending before Human Right, Patna. It is evident from the report of Anchal Adhikari, Amarpur, dated 9.11.2020 that the petitioner followed all the rules of fire-crackers shop and so, the alleged Section 4(D) of Explosive Substance Act is not applicable against the petitioner. He has got no criminal antecedent.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Amarpur P.S. Case no. 660 of 2020, he will be enlarged 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 learned C.J.M., Banka subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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