

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33600 of 2022

Arising Out of PS. Case No.-1 Year-2020 Thana- HABIBPUR District- Bhagalpur

Md. Gulab @ Gulab @ Jamal Rahmani Son of Late Rahmani Resident of
Village - Habibpur Uttar Tola, Police Station- Habibpur, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 08-09-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

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

Petitioner seeks regular bail in connection with
Habibpur P.S. Case No.01 of 2020 registered for the offences
punishable under Sections 447, 324, 307 and 34 of the Indian
Penal Code and Sections 3 and 4 of the Explosive Substances
Act.

As per the allegation, this petitioner and co-accused
persons threw three bombs in the house of the informant and out
of those bombs two exploded and from the effect of that
explosion the informant's son sustained injury at heel of his left
leg and one vehicle was also got damaged in that explosion.

The main submissions advanced by the learned
counsel Mr. Md. Najmul Hodda for the petitioner are that



similarly situated co-accused persons namely Md. Phool @ Iqbal Rahmani and Md. Lal @ Kamal Rahmani have been granted anticipatory bail by this Court vide order passed in Cr. Misc. No.16440 of 2020 and another co-accused person namely Md. Mehtab has been granted regular bail by this Court vide order passed in Cr. Misc. No.48455 of 2021 and against the petitioner there is criminal antecedent of three cases in which he is on bail and against him there is no specific allegation and he has been languishing in jail since 17.01.2022.

Learned APP Mr. Ram Anurag Singh appearing for the State has opposed the bail prayer.

Having considered the above submissions and mainly taking into account the facts that similarly situated co-accused persons are on bail granted by different benches of this Court vide orders passed in above-mentioned criminal miscellaneous cases and against the petitioner there is no specific allegation and he has been languishing in jail since 17.01.2022 and the order of the learned Court below goes to show that the injury of the son of the informant was found to be simple in nature, and the informant's son is stated to be the sole injured person of the alleged occurrence, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let



the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Habibpur P.S. Case No.01 of 2020, on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court below and shall remain physically present as directed by the Court below and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(3) One of the bailers shall be a close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(Shailendra Singh, J.)

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