

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48455 of 2021**

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

Md Mehtab, Son of Md. Chand @ Nizarul Hasan Resident of Village -
Moazzamchak, P.S.- Mozahidpur, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Adv.

For the Opposite Party/s : Mr. A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

4 23-03-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Habibpur
P.S. Case No. 01 of 2020 registered for the offence under
Sections 447, 324, 307, 34 of the IPC and Sections 3 and 4 of
Explosive Substance Act.

According to the prosecution case, the petitioner
along with other accused persons hurled bombs near the gate of
the informant due to which the informant's son sustained
injuries.

Learned counsel appearing for the petitioner submits
that the petitioner has falsely been implicated in the present
case. He further submits that it appears from the FIR that there
is general and omnibus allegation against all the accused



persons. There is no specific allegation against this petitioner. He further submits that the similarly situated co-accused persons namely Md. Phool Iqbal Rahmani and Md. Gulab @Gulab@Jamal Rahmani have been granted privilege of anticipatory bail vide order dated 03.03.2020, 29.06.2020 passed in Cr. Misc. No. 16440 of 2020 and Cr. Misc. No. 21585 of 2020 respectively. Petitioner is in custody since 15.04.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that he carries one more case other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, 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 learned A.C.J.M. 9th, Bhagalpur in connection with Habibpur P.S. Case No. 01 of 2020 with 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 and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the Court below.

(2) If the petitioner tamper with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner.

However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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