

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53000 of 2021

Arising Out of PS. Case No.-24 Year-2020 Thana- SONO District- Jamui

ASHISH TANTI S/o Radhe Tanti R/o village- Jamunipar, P.S.- Khaira,
District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mala Sinha, Adv.

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-01-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Sono P.S. Case No. 24 of 2020 registered for the offence under Sections 3/4 of the Explosive Substance Act, 1908.

Two persons are said to have been arrested by the police having possession of 500 gm white explosive in small pieces in black polythene and 500 gm yellow explosive in small pieces in black polythene.

Learned counsel appearing for the petitioner



submits that the petitioner is innocent and has falsely been implicated in this case. In fact, according to the F.I.R., nothing has been recovered from the conscious possession of the petitioner rather the alleged recovery has been made from the possession of co-accused, Ram Khelawan Yadav and Mantu Manjhi and on their disclosure, petitioner has been apprehended in this case. Moreover, the co-accused, namely, Ram Khelawan Yadav and Mantu Manjhi have already been granted bail by co-ordinate Benches of this Court vide order dated 02.12.2020 and 12.10.2020 passed in Cr. Misc. No. 28260 of 2020 and Cr. Misc. No. 26013 of 2020, respectively. The petitioner is rotting in judicial custody since 11.01.2021.

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

Considering the facts and circumstances of the case, let the, above named, 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 learned Judicial Magistrate-1st, Class, Jamui in connection with Sono P.S. Case No. 24 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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 antecedent, 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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