

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65810 of 2021

Arising Out of PS. Case No.-137 Year-2021 Thana- BANKA District- Banka

=====

BALMUKUND DAS @ BALMUKUND KUMAR DAS Son of Horil Das @
Horil Harijan Resident of Village - Mahashadih (Harijan Tola), Police station
and - District - Banka.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Balram Kapri

For the Opposite Party/s : Mr.Dr. Indiwari Kumari

=====

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 30-08-2022 Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner seeks bail in connection with Banka

P.S. Case No. 137 of 2021 registered for the offences punishable

under Sections 147, 324, 307 and 386 of the Indian Penal Code

and 3/4 of Explosive Substance Act.

As per prosecution case, there is allegation against

the petitioner that he alongwith other co-accused persons was

extracting money from truck drivers. It is alleged that during

that course the protest was made by truck driver upon which co-

accused and petitioner and others exploded bomb with a view to



create panic and some of the driver sustained injury.

Learned counsel for the petitioner submits that petitioner is in custody since 22.02.2021. Petitioner bears no criminal antecedent. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that During the course of investigation there is no incriminating material has been found by the I.O. Co-accused Raja Das, Rakesh Das and Ranjeet Das have already been granted anticipatory bail vide Cr. Misc. No. 362 of 2022 as well as Co-accused Dhurkheli Das and Nitish Das have been granted anticipatory bail vide Cr. Misc. No. 66295 of 2021 by co-ordinate bench of this Court and the case of present petitioner stands more or less on similar footing.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, nature of allegation, similar situated co-accused persons have already been granted anticipatory bail charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, keeping in view clean antecedent of the petitioner and



also taking into consideration the material available on record, let the petitioner above named be released 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 Chief Judicial Magistrate, Banka in connection with Banka P.S. Case No. 137 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

amitkr/-

U		T	
---	--	---	--

