

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63791 of 2022

Arising Out of PS. Case No.-290 Year-2022 Thana- KHAIRA District- Saran

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Santosh Kumar S/O Baldeo Prasad Resident of village- Nagar Bazar, P.S.-
Khaira (Nagra), District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 63564 of 2022

Arising Out of PS. Case No.-290 Year-2022 Thana- KHAIRA District- Saran

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Hare Ram Sah @ Hare Ram Prasad Son of Late Deep Narayan Sah, R/o Vill.-
Nagra Bazar, P.S.- Khaira, Distt.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 63791 of 2022)

For the Petitioner/s : Mr. Nawal Kishore Singh, Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh, A.P.P.

(In CRIMINAL MISCELLANEOUS No. 63564 of 2022)

For the Petitioner/s : Mr. Nawal Kishore Singh, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-12-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 3, 4 and 5
of Explosive Substance Act.

According to prosecution case, on 27.07.2022



when the informant alongwith other police officials were in village Afaur received a secret information that petitioner and two others named in the F.I.R. have kept concealed a huge quantity of crackers in illegal manners in their respective shops and on that basis a raid was conducted and accordingly some crackers recovered from three shops.

It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case and they have no criminal antecedent as mentioned in para-3 of this application. The allegation levelled against the petitioners are that they sold the Crackers without license and on that basis petitioners have been made accused in this case. He further submits that the seized articles is not more than the 100 kg. and petitioners are a small shop keepers in rural area and they are not manufacturer of crackers and they used to purchase crackers from whole sale and sell the same in retail on festival occasion for their livelihood.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two



sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Khaira P.S. Case No. 290 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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