

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7749 of 2023

Arising Out of PS. Case No.-357 Year-2021 Thana- SONBERSA District- Sitamarhi

HAKIM SAH @ MOSTKIM Son of Late Biltu Sah Resident of Village-
Mahendra Nagar, Nagarpalika, Ward No.-4, P.S.- Mahendra Nagar, District-
Dhaka (Nepal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Adv.

For the Opposite Party/s : Ms. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-05-2023 Heard Mr. Ashok Kumar Jha, learned counsel for
the petitioner and Ms. Suman Kumari, learned Additional Public
Prosecutor for the State.

2. Petitioner seeks regular bail in connection with
Sonbarsa PS Case No. 357/2021 dated 22.12.2021 registered for
the offence punishable under Sections 324 and 307 of the IPC
and Section 3/4 of the Explosive Substance Act.

3. As per First Information Report, on 16.12.2021 in
the after-noon, while the daughter of informant along with her
two minor friends were playing in a field near her home, they
found a ball-like material kept inside the heap of straw.
Subsequently, the ball-like material got exploded due to which
all the three girls received splinter injury. It has been alleged
that the ball-like material was a live bomb which was kept by



the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR and his name got transpired in this case on the basis of confessional statement of a co-accused, Pramod Kumar Sah @ Doctor Saheb who has been granted bail by a co-ordinate Bench of this Court *vide* order dated 07.02.2023 passed in Cr. Misc. No. 59140/2022. He further submits that except the confessional statement made by the co-accused, no body has seen the petitioner keeping the bomb inside the heap of straw. The petitioner is in custody since 08.10.2022 and the charge-sheet has already been submitted.

5. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that a co-accused person has been granted bail by this Court and the petitioner is in custody since 08.10.2022, the charge-sheet has already been submitted in the matter, I am inclined to grant regular bail to the petitioner subject to the condition that petitioner shall co-operate in the trial and shall be well represented on each and every date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

6. Accordingly, let the petitioner, **HAKIM SAH @**



MOSTKIM 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 Chief Judicial Magistrate,
Sitamarhi in connection with Sonbarsa PS Case No. 357/2021.

(Anil Kumar Sinha, J)

perwez

U			
---	--	--	--

