

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10410 of 2023

Arising Out of PS. Case No.-55 Year-2022 Thana- RAJAPAKAR District- Vaishali

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1. TUNTUN SINGH Son of Bhadai Singh Resident of Village and P.S.-
Rajapakar, District- Vaishali
 2. SONU KUMAR Son of Tuntun Singh Resident of Village and P.S.-
Rajapakar, District- Vaishali
 3. MANU KUMAR @ BHOLA Son of Tuntun Singh Resident of Village and
P.S.- Rajapakar, District- Vaishali
 4. AJAY KUMAR Son of Late Jagdish Singh Resident of Village and P.S.-
Rajapakar, District- Vaishali
 5. SUNNY KUMAR Son of Surendra Singh Resident of Village and P.S.-
Rajapakar, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sabal Kumar Jha, Adv.
For the Opposite Party/s : Mr.Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 24-04-2023 Heard learned counsel for the petitioners and learned APP
for the State.

Earlier vide order dated 07.04.2023, the bail application
on behalf of petitioner nos.2 and 5 was dismissed as withdrawn.

Today, at the outset, learned counsel for the petitioners
seeks permission to withdraw this application with respect to
petitioner no.1, who has been apprehended by the police, during
pendency of this application.

Accordingly, this application with regard to petitioner



no.1 is dismissed as withdrawn.

Now, it is being heard for consideration of bail on behalf of petitioner nos.3 and 4 only.

The petitioners apprehend their arrest in a case registered for the offence punishable u/s 341, 323, 324, 307, 504, 34 of the IPC and sections 3/4 of Explosive Substance Act.

As per the prosecution case, the F.I.R. named accused persons including the petitioners are said to have exploded bomb near the informant.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to ulterior motive. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. Parties are agnates and there is an existing land dispute between them. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail by submitting that there is specific allegation against the petitioner no.3 to have explode bomb on the body of the informant, due to which she has sustained injury and was admitted in the hospital.

Having regard to the facts and circumstances of the case,



since there is no specific allegation against petitioner no.4, let the above named petitioner no.4, 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) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Rajapakar P.S. Case No.55 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

However, since there is specific allegation against petitioner no.3, I am not inclined to enlarge him on bail. The prayer for grant of anticipatory bail on behalf of petitioner no.3 is hereby rejected.

This application is partly allowed.

(Anjani Kumar Sharan, J)

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