

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17285 of 2023

Arising Out of PS. Case No.-471 Year-2021 Thana- SASARAM MUFFSIL District- Rohtas

RADHA KRISHNA SINGH @ KRISHNA CHAUDHARY @ RADHA
KRISHNA CHAUDHARY Son of Late Barhmdev Singh Resident of Village-
Fazilpur, P.S.-Sasaram (M), District-Rohtas

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwari, Advocate

For the Opposite Party/s : Mr.Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 29-03-2023 Heard the learned counsel for the petitioner and the
learned APP for the State.

The present petition is by way of second attempt at the behest of the petitioner for grant of bail in connection with Sessions Trial No. 76 of 2023 (arising out of Sasaram (M) P.S. Case No. 471/ 2021) for the offences punishable under Section 3/4 Explosive Substance Act 1981, inasmuch as the earlier prayer of the petitioner for grant of bail was rejected by this Court vide order dated 03.02.2023, passed in Criminal Miscellaneous Case No. 57266 of 2022.

The case of the prosecution, in brief, according to the informant is that when he along with his police force was on patrolling duty, he received a secret information that the



petitioner and one another co-accused person namely Gauri Shankar have kept huge quantity of explosive substance in their house, whereupon a raid was conducted at the *dallan* of the house of the petitioner and 100 kg of explosive substance was recovered. The impugned order dated 06.09.2022 records the fact that the said explosive substance was sent to the Forensic Science Laboratory, Bihar, Patna and it has been reported that samples sent to the said laboratory are ingredients of Improvised Explosive Device.

The learned Senior counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and is languishing in custody since 26.06.2022. It is further submitted that this Court, by the aforesaid order dated 03.02.2023, had granted liberty to the petitioner to renew his prayer for bail, immediately upon framing of charges by the learned trial court which have now stood framed by an order dated 16.02.2023, passed by the Ld. Trial Court, hence, the petitioner be granted the privilege of bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that now, the charges have



already stood framed and the trial is going on as also the fact that the petitioner was granted liberty to review his prayer for bail, immediately upon framing of charge by the learned trial court, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Sessions Judge, Rohtas at Sasaram in connection with Sasaram (M) PS case no. 471 of 2021.

(Mohit Kumar Shah, J)

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