

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17039 of 2023**

Arising Out of PS. Case No.-493 Year-2021 Thana- BANKA District- Banka

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DHURKHAILI DAS @ DHURKHEILO DAS @ DHURKHELI DAS S/O
GUNNA DAS @ GUJJO DAS R/O VILLAGE-MDHESHDIH, P.S- BANKA,
DISTRICT- PATNA(BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shiv Kumar Prabhakar
For the Opposite Party/s : Mr.Prem Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 393, 307 and 34 of the
Indian Penal Code, Section 27 of the Arms Act and Sections 3,4
and 5 of the Explosive Substance Act.

As per prosecution case, at midnight, seven
miscreants tried to stop a truck bearing Registration No.



AP24TA-9873 but the driver of the truck did not stop. One of the miscreants threw explosive substance on truck, as a result of which the truck lost its balance and the driver sustained severe injury.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. Petitioner is not named in the FIR and the same has been lodged against unknown persons. The name of the petitioner has come into light, on the basis of confessional statement of co-accused. Nothing incriminating article has recovered from the conscious possession of the petitioner. He submitted that the other co-accused has already granted bail by a Co-ordinate Bench vide order dated 24.01.2023 passed in Cr. Misc. No. 30348 of 2022. He is languishing in judicial custody since 21.09.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties



of the like amount each to the satisfaction of the learned Court
of A.D.J.-IV, Banka in connection with Banka P.S. Case No. 493
of 2021.

(Sunil Kumar Panwar, J)

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