

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35243 of 2023

Arising Out of PS. Case No.-580 Year-2022 Thana- SASARAM MUFFSIL District- Rohtas

NITISH CHAUDHARY @ NITESH KUMAR Son of Bharat Chaudhary @
Bharath Singh Resident of village - Vajirganj @ Wajirganj, ward no. 3, P.S. -
Sasaram (Muf.), Distt. - Rohtas at Sasaram

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 27-07-2023 Heard the parties.

2. The petitioner apprehend his arrest in connection with Sasaram (M) P.S. Case No.580 of 2022, registered for the offence punishable under Sections $\frac{3}{4}$ of Explosive Substance Act.

3. Allegedly, the police got information that the petitioner and other co-accused persons are indulged in illegal business of Ammonium Nitrate, for breaking stone. A total of 400 kg of Ammonium Nitrate is said to have been found from two fields.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation



levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the said recovery has been made from two fields and the said fields does not belongs to the petitioner. There is no evidence against the petitioner to support the prosecution case. Petitioner has two criminal antecedents.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as well as considering the nature of offence, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is, accordingly, dismissed.

(Anjani Kumar Sharan, J)

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