

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42489 of 2023

Arising Out of PS. Case No.-277 Year-2023 Thana- SASARAM NAGAR District- Rohtas

Md. Gulam Hashan @ Md. Gulam Hasan Son Of Gulam Husain @ Gulam Hussain Resident Of Mohalla Sherganj P S Sasaram District Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar
For the Opposite Party/s : Mr. Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 06-09-2023 Heard Ld. counsel for the petitioner and Ld. APP
for the State.

2. The petitioner seeks bail in connection with Sasaram (Town) P.S. Case No.277 of 2023, registered for the offences punishable under Sections 114, 115, 117, 118, 120 (B), 153(a) (a), 201, 307, 34 of the Indian Penal Code and Section 3/4 of the Explosive Substance Act.

3. The prosecution case as emerges from the FIR is that, co-accused persons including the petitioner is alleged to have been involved in the making bombs for explosion on the occasion of Ram Navmi Julius and during the process of making, the bomb got exploded due to which co-accused



sustained injuries.

4. Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that seizure list was prepared in the absence of the petitioner. He also submits that the petitioner has no concern with the making of bomb. He further submits that some of the co-accused have already been enlarged on bail by co-ordinate Bench of this Court.

5. He further submits that the petitioner has been languishing in jail since 02.04.2023.

6. It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedent.

7. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

8. However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

9. Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his



furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. C.J.M. Rohtas at Sasaram, in connection with Sasaram (Town) P.S. Case No.277 of 2023 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has



concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

10. Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

chandan/-

U		T	
---	--	---	--

