

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47658 of 2023

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

1. MD. FIROZ @ MD. FIROZ AKHTAR son of Late Abnool Hasan Khan Mohalla- Dargah Darwaja Sherganj Ps- Sasaram Dist- Rohtas
2. Md. Akram son of Md. Firoz Akhtar Mohalla- Dargah Darwaja Sherganj Ps- Sasaram Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 42737 of 2023

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

Jubair Khan @ Juber Khan S/O Manjoot Khan @ Manjoor Khan R/O Mohalla- Jakki Shahid, Brahman Toli, Ps. Sasaram (T), Dist. Rohtas

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 47658 of 2023)

For the Petitioner/s : Mr.Rajani Kant Pandey

For the Opposite Party/s : Mr.Gauri Shankar Gupta

(In CRIMINAL MISCELLANEOUS No. 42737 of 2023)

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 10-08-2023 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek regular bail in connection with Sasaram (T) P.S. Case No. 277 of 2023 registered for the offence under Sections 114, 115, 117, 118, 120B, 153(A)(A), 201, 307/34 of the Indian Penal Code and Sections 3/4 of the



Explosive Substance Act.

3. As per prosecution case, the allegation against the petitioners and co-accused persons is of making bombs for exploding on the occasion of Ram Naumi Julius and during the process of making, the bomb exploded. The petitioner Md. Firoj is alleged to have used the rented house for making bombs.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. It is also submitted that seizure list was prepared in absence of the petitioners. The petitioners have not concerned with the making bombs. Learned counsel in respect of petitioner Jubai Khan submits that he is not named in the FIR rather his name transpired in this case on the basis of confessional statement of other co-accused Md. Samir Khan. It is also submitted that other co-accused namely, Md. Eklakh Ahmad has already been granted bail by a co-ordinate Bench of this Court vide order dated 26.7.2023 passed in Cr. Misc. No. 44091 of 2023. These petitioners have got no criminal antecedents and they are languishing in judicial custody for more than three months.

5. Learned APP appearing for the state has opposed the prayer of regular bail.



6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period of the petitioners, this court is inclined to enlarge them on bail. The above named petitioners are directed to be released on bail in connection with Sasaram (Town) P.S. Case No. 277 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram.

(Sunil Kumar Panwar, J)

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