

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44338 of 2023

Arising Out of PS. Case No.-301 Year-2023 Thana- BRAHMPUR District- Buxar

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Muslim Ansari Son Of Late Sadik Ansari Resident Of Village- Brahampur,
Ps- Brahampur, Dist- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dr. Kamal Deo Sharma

For the Opposite Party/s : Mr.Raj Kishor Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner and learned

APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 286/34 of the Indian
Penal Code and Section 5 of the Explosive Substances Act.

3. As per prosecution case, the petitioner along with
his son making country-made bomb and during making bomb in
the his house bomb was exploded, therefore high sound and
heavy smoke was present there. Thereafter, the informant along
with other police party reached at that place and recovered a
plastic bag black coloured powder about 9 Kg, which is used in



making bomb, a plastic bag about 24.500 Kg white coloured powder and some sutali bomb from his house.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. He submitted that one of the co-accused namely Nabab Hussain, license holder of the cracker shop at the time of Dipawali granted by the S.D.M., Dumraon, which is annexed as annexure-2 with this petition and that time some of the cracker was rest and in the house of co-accused Nabab Hussain the said cracker was recovered. The petitioner from long time separately lived with his sons and the as alleged explosive substances has recovered from the joint house possession not from the conscious possession of the petitioner. He is languishing in judicial custody since 25.05.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, being an old age person as well as period of custody 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 below in
connection with Brahampur P.S. Case No. 301 of 2023.

(Sunil Kumar Panwar, J)

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