

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53850 of 2023

Arising Out of PS. Case No.-81 Year-2023 Thana- BAUNSI District- Banka

Amrendra Sah @ Guddu Sah @ Amrendra Kumar Sah, aged about 43 years,
Male, Son of Hari Mohan Sah, Resident of Village- Barmaniya, P.S. - Bounsi,
District - Banka

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ranjan Kumar Jha, Advocate
For the Opposite Party : Mr. Rajiv Nayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 23-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Bounsi P.S. Case No. 81 of 2023 dated 28.03.2023, instituted for
the offence punishable under Sections 3/4 of the Explosive
Substance Act.

3. The prosecution's case, in short, is that on
28.03.2023, on secret information, the informant along with
other police personnel raided the paddy godown of the
petitioner and recovered explosive substance kept in two tin
boxes. The petitioner and other co-accused managed to escape.
Thereafter, the informant lodged an F.I.R. against the petitioner
and other co-accused.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. The entire allegations levelled against the petitioner is false and concocted. The falsity of the prosecution case is evident from the fact that as per written report, search and seizure of the explosive substance was made in presence of the petitioner but the police failed to explain the reason for not arresting the petitioner at the spot even though he was present at the place of occurrence which was surrounded by police. It is further submitted that the present case has been fabricated at the behest of Bhu-Mafia, who are on inimical terms with the petitioner. It is also submitted that even though it is alleged that explosive substances have been recovered from the godown but no seizure list has been prepared. Further, it is submitted that a counter Complaint Case No. 1851C/2022 dated 18.10.2022 has been lodged by the petitioner against Sunil Yadav (Bhu-mafia) for destroying and looting of the godown. Lastly, it has been submitted that he has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in



the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Bounsi P.S. Case No. 81 of 2023, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Banka, subject to conditions as laid down under Section 438(2) of the Criminal Procedure Code.

(Khatim Reza, J)

Gaurav Kumar/-

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