

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54156 of 2022

Arising Out of PS. Case No.-227 Year-2022 Thana- MOTIHARI TOWN District- East
Champaran

Vikash Kumar S/o Sachidanand Rai, Resident of village- Gawandra , Ward
No- 10, P.S.- Chakia, District- East Champaran, at Motihari.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Saroj Narayan Yadav, Adv.
	:	Mr. Rakesh Ranjan, Adv.
	:	Miss Sweta Kumari, Adv.
For the Opposite Party/s	:	Mr. Anil Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 22-02-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Motihari Town P.S. Case No. 227 of 2022, lodged under
Sections 25(1-b)a, 26 of the Arms Act read with Section 3/4 of
the Explosive Substance Act.

As per the allegation made in the F.I.R. 4 *desi* bomb
and 2 live cartridges were recovered in the room of petitioner.

Learned counsel for the petitioner submits that
antecedent of petitioner is clean and he is in custody since
11.05.2022. He further submits that Section 3/4 of the Explosive



Substance Act is not applicable in the present case, at worst Section 5 of Explosive Substance Act may apply, in which, maximum punishment is up to 5 years.

Learned counsel for the State opposes the prayer for bail and submits that 4 *desi* bomb have been recovered from the house of petitioner (2 outside his room and 2 inside his room).

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner at present, therefore, his bail application is hereby **rejected**.

Learned trial court is directed to conclude the trial within one year from today.

(Dr. Anshuman, J.)

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