

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61480 of 2023

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

1. NABAB HUSSAIN S/O MUSLIM ANSARI R/O VILLAGE-
BRAHAMPUR, WARD NO. 7, P.S- BRAHAMPUR, DISTT.- BUXAR.
2. AZAD ANSARI S/O MUSLIM ANSARI R/O VILLAGE- BRAHAMPUR,
WARD NO. 7, P.S- BRAHAMPUR, DISTT.- BUXAR.
3. SAHZAD ANSARI S/O MUSLIM ANSARI R/O VILLAGE-
BRAHAMPUR, WARD NO. 7, P.S- BRAHAMPUR, DISTT.- BUXAR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Kamal Deo Sharma, Advocate
For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 17-10-2023 1. Heard learned Counsel for the petitioners and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Brahampur PS case no. 301 of 2023, disclosing
offences punishable under Section 286/34 of the Indian Penal
Code and Section 5 of Explosive Substances Act.
3. The prosecution story, in brief, is that on
24.05.2023 at about 11.30 am, informant got secret information
that in Masjid road, Brahampur, ward no. 7, Muslim Ansari
along with his sons namely Nabab Hussain, Azad Ansari and
Sahzad Ansari were making countrymade bomb and during



manufacturing of bomb in the house of Muslim Ansari, the same got exploded creating heavy sound and the house was full of smoke. On getting information, police party proceeded towards the house in question and found the house full of smoke. Upon search, a plastic bag containing 9 kg of black powder used for manufacturing bomb and another plastic bag containing 24.500 kg white coloured powder along with some small *sutali* bombs were recovered.

4. Learned Counsel for the petitioners submits that all the petitioners are family members and were living in the joint house and on the basis of recovery of some powder meant for manufacturing bomb, all off them have been made accused in this case. It is further submitted that police arrested one person namely Muslim Ansari; father of the petitioners from the spot. It is next submitted that the entire family members have been made accused in this case. Lastly, it is submitted that petitioner no. 1 is the licence holder of the cracker shop, granted by the S.D.M. Dumraon for the period 22.10.2022 to 30.10.2022 and *sutli* bomb recovered from the house of the petitioners was the left out material of the shop, for which, licence was already granted in favour of petitioner no. 1.



5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that while manufacturing bomb, it got exploded, due to which, police arrived at the house of the petitioners and recovered gun powder from their house, I am not inclined to grant the privilege of anticipatory bail to the petitioners.
6. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J)

rinkee/-

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

