

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72320 of 2022

Arising Out of PS. Case No.-286 Year-2022 Thana- KHAIRA District- Saran

MD. ISLAM @ ISLAM @ DADA Son of Late Ismail Miyan @ Md. Ismail
Noor Mohammad Resident of village - Khodaibagh, P.S.- Khaira, District -
Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Narendra Kumar

For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR

ORAL ORDER

3 12-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Section 304 of the Indian Penal
Code and 3, 4 and 5 of the Explosive Substance Act.

As per prosecution case, the allegation against the
petitioner along with others is of involving in manufacturing
and selling of illegal crackers without having any valid license.
Thereafter, it is further alleged that due to their negligence five
persons lost their life.



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 the house of the petitioner is at some distance from the place of occurrence. Nothing has been recovered from the possession of the petitioner and he is a person of clean antecedent. He submitted that the name of the petitioner has not been mentioned in any of the seizure list. He further submitted that the other co-accused has already been granted bail by a Co-ordinate Bench vide order dated 17.02.2023 passed in Cr. Misc. No. 62859 of 2022. Moreover, petitioner has got no criminal antecedent as stated in para-3 the bail petition. He is languishing in judicial custody since 02.08.2022.

The application for bail is opposed by learned APP for the State and submitted that it is a serious case in which five persons died due to blast by illegal crackers.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, 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 Judicial



Magistrate-1st Class, Saran at Chapra in connection with Khaira
P.S. Case No. 286 of 2022.

(Sunil Kumar Panwar, J)

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