

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75390 of 2023

Arising Out of PS. Case No.-277 Year-2023 Thana- SASARAM NAGAR District- Rohtas

Md. Rashid Son of Sarfuddin @ Sarafat Hussain @ Md. Sharfuddin @ Md. Jamalul Resident of Village - Sherganj, P.S. - Sasaram (nagar), District - Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 02-12-2023 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks regular bail in connection with Sasaram (Town) P.S. Case No. 277 of 2023 registered for the offence under Sections 114, 115, 117, 118, 120B, 153 (a) (a), 201, 307/34 of the Indian Penal Code and Section 3/4 of the Explosive Substance Act.

3. As per prosecution case, the allegation against the petitioner and co-accused persons is of making bombs for exploding on the occasion of Ram Naumi Julus and during the process of making, the bomb exploded.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. It is also submitted that seizure list was prepared in absence of the petitioner. The petitioner has not concerned with the making bombs. It is also submitted that other co-accused namely, Md. Firoz @ Md. Firoz Akhtar and Md. Akram, Jubair Khan @ Juber Khan, Md. Gulam Hashan @ Md. Gulam Hasan, Md. Shahzad Alam, Md. Shahabuddin @ Sahbu @ Sahabu and Md. Irfan have already been granted bail by co-ordinate Benches of this Court passed in Cr. Misc. Nos. 47658 of 2023, 42737 of 2023, 42489 of 2023, 47192 of 2023, 47306 of 2023 and 53765 of 2023 respectively and petitioner is in jail since 27.08.2023.

5. Learned APP appearing for the State has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail in connection with Sasaram (Town) P.S. Case No. 277 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram with following conditions:-



(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Ramesh Chand Malviya, J)

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