

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5019 of 2024

Arising Out of PS. Case No.-198 Year-2023 Thana- SATHI District- West Champaran

Naval Kumar Nishad @ Naval Nishad S/o Langatu Nishad R/o vill-Nuniya
Tola, Ward No 1, P.S Chanpatiya, District West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-02-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Sathi P.S. Case No.198/2023, registered for the offence
punishable under Section 307 of the Indian Penal Code &
Sections 5/6 of Explosive Substance Act, 1884.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and is a young boy
and in the event if the petitioner is sent to judicial custody, in the
nature of allegation as alleged in the F.I.R., his entire career
would get jeopardized and chances are bright that he may come
in contact with hardened criminals which will further restrict his
future prospects. It is next submitted that the informant alleges
that he received information that fire crackers like substance



exploded in the dickey of the motorcycle and the same was captured and made viral on the social media. It is next submitted that the motorcycle belonged to the petitioner as such he came to be implicated in the instant F.I.R.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that though no one was injured in the occurrence but then the case is also instituted under sections 5 & 6 of the Explosives Substance Act on which the learned counsel for the petitioner submits that no F.S.L. report is there on the record to substantiate that the explosives which exploded in the motorcycle of the petitioner were explosive substance or fire crackers.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-2nd, Bettiah, West Champaran, in connection with Sathi P.S. Case No.198/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



6. However, the learned trial court before accepting the bail bond of the petitioner shall verify whether there is any F.S.L. report on record or not and in the event if it is found that the F.S.L. report mention that the explosives were explosive substance as defined in the Explosives Substance Act, in that event the present order shall not be given effect to.

(Satyavrat Verma, J)

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