

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23351 of 2024

Arising Out of PS. Case No.-88 Year-2023 Thana- TEGHRHA District- Begusarai

Md. Sajjad @ Bhola Mian, aged about 22 years, Male Son of Abdul Aziz @ Abdul Ajij Kuraisi, Resident of Village - Dargah Mohalla, Ward No.09, P.S. - Teghra, District – Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Ataul Haque, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 19-04-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Teghra P.S. Case No. 88 of 2023 instituted for the offences punishable under Sections 4/5 of the Explosive Substance Act.

3. As per the prosecution case, two unknown persons kept live bomb in bush beside the road with a view to create panic.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. He further submits that the petitioner has been made accused only on the



basis of confessional statement of co-accused. Petitioner is in custody since 05.03.2023 / 31.08.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Additional District and Sessions Judge-II, Begusarai dated 22.02.2024, it appears that petitioner has not arrested at the spot and there is no any recovery from the conscious possession of the petitioner. Similarly situated co-accused persons namely Venkat Singh @ Venkatesh Singh @ Venkateswa @ Venkat Kumar @ Venkatesh and Gulshan Kumar have already been granted bail by this Court in Cr. Misc. Nos. 6295 of 2024 and 86280 of 2023 vide orders dated 16.02.2024 and 11.01.2024 respectively, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail *after framing of charge* on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Teghra, Begusarai in connection with Teghra P.S. Case No. 88 of 2023.

7. The trial Court is directed to conclude the proceeding of framing of charge according to law within a period of 15 (fifteen days) from the date of receipt of a copy of



this order. However, it is made clear that *if the charge-sheet has not been submitted* then the petitioner shall be released on bail on above conditions and he shall be present physically on each and every date before the Trial Court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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