

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23892 of 2024

Arising Out of PS. Case No.-172 Year-2023 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Shubham Kumar @ Subham Kumar Son Of Manoj Singh Resident Of Village
- Pahsara, Ward No.11, P.S. - Nowkothi, District - Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate
For the Opposite Party/s : Mr. Arun Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 18-04-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner seeks bail in connection with Nowkothi
P.S. Case No. 172 of 2023 dated 29.11.2023 registered for the
offence punishable under Sections 324, 326, 307 and 120(B) of
the Indian Penal Code and also under Sections 3 and 4 of the
Explosive Substance Act.

3. The prosecution case, in short, is that the daughter of
the informant along with other boys were playing with the ball.
During the course of playing, the ball went into an old
dilapidated house of one Sumit Singh, where she found a bomb
and took it in her hand. After coming out of the said dilapidated
house she opened the bomb and it burst out due to which all of



them sustained injury. The informant has alleged that due to explosion of bomb, the daughter of the informant and other children became injured.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that due to past antecedent, he has been made accused in this case. On the basis of self confessional statement and also on the basis of secret information gathered by spy and local persons, the petitioner has been made accused in this case. Lastly, it has been submitted that the petitioner is in custody since 06.12.2023, having 11 criminal cases against him and has been granted bail in all the cases and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State opposes the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-Ist Class, Begusarai in connection with Nowkothi P.S. Case No. 172 of 2023, subject to the following conditions:-



1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

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