

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41400 of 2024

Arising Out of PS. Case No.-57 Year-2014 Thana- KUDRA District- Kaimur (Bhabua)

Arun Pratap Singh Son of Late Amarnath Singh R/O Vill.- Samadpur, P.S.-
Adal Hat, Dist.- Mirjapur, UP.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Advocate Mr. Kumari Anupam, Advocate
For the Opposite Party/s	:	Mr. Upendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 19-06-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Kundra
P.S. Case No. 57 of 2014 instituted for the offence under
Sections 4 & 5 of the Explosive Substance Act.

3. Prosecution case in short is that on the eve of the
Parliamentary election the police while patrolling, intercepted
one Maruti Ertiga car from which driver along with two persons
tried to escape when Sonu Kumar Singh was apprehended.
From Ertiga car 425 explosives in two boxes and 12,000 pieces
of electronic detonators in four boxes were recovered.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 07-03-2024. Petitioner



bears no criminal antecedent.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Anup Kumar Singh, who has been granted bail by a Co-ordinate Bench of this Court *vide* order dated 19-01-2015, passed in Cr. Misc. No. 38134 of 2014. Nothing has been recovered from the possession of the petitioner. It is submitted that petitioner was unaware about the institution of FIR as well as no process was served against the petitioner.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kundra P.S. Case No. 57 of 2014, subject to the following conditions:

(I) One of the bailors shall be own/close member of the



family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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