

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42282 of 2024

Arising Out of PS. Case No.-17 Year-1991 Thana- ROHTAS District- Rohtas

Khursheed Alam Son of Late Hanif Khan R/O Vill.- Akberpur, P.S.- Rohtas,
Dist.- Rohtas At Sasaram

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deovind Kumar Singh, Advocate

For the Opposite Party/s : Ms. Anita Kumari, APP

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

ORAL ORDER

2 20-06-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Sessions Trial No. 534 of 1995 arising out of Rohtas P.S. Case No. 17 of 1991 instituted for the offence under Sections 3, 4 & 5 of the Explosive Substance Act.

3. Prosecution case as emanated from the FIR is that co-accused was indulged in making of explosive substance.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 31-03-2024. Petitioner is a man of clean antecedent.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present



case. The present case is the case of misuse of privilege of bail earlier granted to the petitioner. Learned counsel further submitted that earlier, the petitioner was granted bail on 28-05-1991. He further submits that bail bonds of the petitioner got cancelled on 23-08-2007. He further submits that petitioner was declared permanent absconder on 09-12-2012. It is submitted that petitioner had no knowledge that his bail bond was cancelled and as a consequence of this, petitioner was arrested on 31-03-2024. It is submitted that petitioner is age about 70 years. Learned counsel for the petitioner lastly submits that petitioner undertakes to abide by any condition/s imposed by this Court, if released on bail.

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 and period of custody of the petitioner as also the undertaking given by the petitioner, 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 Sessions



Trial No. 534 of 1995 arising out of Rohtas P.S. Case No. 17 of 1991, 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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