

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49832 of 2024

Arising Out of PS. Case No.-550 Year-2023 Thana- PATNA CITY CHOWK District- Patna

PRAHLAD KUMAR @ PRAHLAD KUMAR YADAV S/O LATE
MAHENDRA PRASAD R/O MARUFGANJ, NEAR STATE BANK OF
INDIA, PATNA CITY, P.S.- MALSALAMI, DISTRICT- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-08-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Chowk P.S. Case No. 550 / 2023 dated 14.09.2023 registered under Sections 285, 286 of the I.P.C. and Sections 4, 5 & 6 of the Explosive Substance Act, 1908.

3. As per the prosecution case the Police got information on 13.09.2023 that illegal crackers / explosive substances are kept in Alka Transport and was being unloaded. The petitioner is the owner of the said Alka Transport.

4. Learned counsel for the petitioner submits that 22 cartons of plastic bangles were booked from Sasaram to the consignee Mohit (Patna City) through the Transport Company of the petitioner, which would be evident from Annexure- P/2 i.e.



consignment note. At the time of booking the consignment the consignor mentioned in the consignment note that cartons contained plastic bangles inside. The petitioner being the owner of the Transport Company in question was not aware about the nature of consignment booked by the consignor through the staff of the Company. Learned counsel further submits that during the course of investigation it came to light that cartons contained fire crackers, which are not an explosive substance as per Section 4, 5 & 6 of the Explosive Substance Act. The F.S.L. report of the seized fire crackers is awaited and has not been received by the Investigating Officer.

5. Regard being had to the submission made by the parties, taking into consideration the nature of allegation and the fact that petitioner is the owner of the Alka Transport Company and consignment was booked by the consignor disclosing that the cartons contained plastic bangles, as such, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of



learned SDJM, Patna City in connection with Chowk P.S. Case
No. 550 of 2023 subject to the condition as laid down under
Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

praful/-

U		T	
---	--	---	--

