

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51334 of 2024

Arising Out of PS. Case No.-163 Year-2024 Thana- NAGAR District- Vaishali

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Bittu Kumar @ Bittu Son of Late Sanjay Chaudhary @ Sanjay Kumar Chaudhary Resident of Mohalla-Katara, P.S.- Hajipur Town, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-09-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Hajipur Town P.S. Case No. 163 of 2024 for the offence registered under Sections 4/5 of the Explosive Substance Act.

3. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that he received secret information while patrolling that in the ruined house of Tribhuwan Singh, accused Bhola, Tinku @ Bhutta, Bittu (the petitioner herein) had kept bomb for the purposes of committing crime, accordingly, the informant reached the place of occurrence when there persons on seeing the police vehicle fled away but on search, 'sutri' (thread) bomb



were recovered along with other articles and thereafter, the bombs were destroyed.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the instant case by the informant. The petitioner admittedly is the person with clean antecedent and thereafter, draws the attention of the Court to the seizure list (Annexure -2) to submit that the seizure list does not disclose from where the bombs were recovered, though in the FIR, it is alleged that the bombs were recovered from the ruined house of Tribhuwan Singh which cast an aspersion on the case of the prosecution. It is next submitted that the seizure list rather record that where the bombs were taken i.e, to town police station but the place of seizure is not disclosed. It is also submitted that the petitioner will not abscond rather he will co-operate in the investigation to prove his innocence.

4. Learned APP appearing on behalf of the State opposes the prayer for bail.

5. Considering the submissions made by the learned counsel appearing on behalf of the petitioner and the fact that the petitioner is a persons with clean antecedent, let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be



released on anticipatory bail on furnishing bail of Rs. 25,000/- (Twenty Five thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 163 of 2024, subject to condition as laid down under Section 438(2) of the Cr.P.C., subject to condition that one of the bailor shall be his mother, Ranu Devi.

6. However, in the event, if the Investigating Officer files an application before the learned Trial Court bringing on notice that the petitioner despite assurance to this Court is not cooperating in the investigation, in that event, the learned trial Court shall be at liberty to cancel the bail bond of the petitioner.

(Satyavrat Verma, J)

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