

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53271 of 2024

Arising Out of PS. Case No.-146 Year-2018 Thana- BEUR District- Patna

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Amit Kumar S/O Anil Prasad R/O Village- Simli Chak (Simri Ward), Devi
Asthan, PS- Malsalami, Distt-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Shankar Sinha, Advocate

For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

7 13-12-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with in connection with Beur P.S. Case No. 146 of 2018 registered for the offence punishable under sections 307, 324, 353, 224, 511 and 120B of the Indian Penal Code, sections 3 and 5 of the Explosive Substance Act and sections 25(1B)(a), 26, 27 and 35 of the Arms Act to which subsequently sections 7, 8 and 13 of the Prevention of Corruption Act 1988 was added.

3. As per the prosecution case, while the prisoners were being transported from the jail premises to the Court and back to the jail premises, on the way back there were three bomb blasts in the prisoners van as a result of which some of them were injured. On reaching Beur Jail, incriminating articles



were recovered from Sonu Kumar, Sikandar Yadav and Md. Aslam. It is further alleged that the accused Sonu Kumar confessed before the police that he along with others had made plan of escape and that the petitioner had assured of providing assistance.

4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. There is no material against him except for the confessional statement of the coaccused Sonu Kumar made before the police. The petitioner is in custody since 4.12.2023 and charge has been framed in the learned trial court against him.

5. The application for bail is opposed by learned A.P.P. for the State who submits that in a case of the year 2018 the petitioner was taken into custody only in the year 2023.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R., the material that has transpired in course of investigation, the petitioner being in custody since 4.12.2023 and grant of bail to the other coaccused vide order at Annexure P/2 series, the Court directs the petitioner to be enlarged on bail in connection with Beur P.S. Case No. 146 of 2018 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned Special Judge, Vigilance, Patna on the following conditions:

(1) The petitioner shall remain physically present in Court on each date of the trial and shall cooperate in the trial.

(2) In case the petitioner is absent on any date for reasons not to the satisfaction of the learned trial Court or the learned trial Court is of the opinion that the trial is being delayed due to non-cooperation on part of the petitioner, the learned trial Court will be at liberty to cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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