

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.61950 of 2024

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

Tinku @ Bhutta Son of Uma Shankar Sah @ Umashankar singh Resident of Mohalla- Katra, Hajipur, Police Station- Hajipur Town in the Dist. of Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar
For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 17-10-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Hajipur Town Police Station Case No. 163 of 2024, disclosing offences punishable under Sections 4/5 of the Explosive Substance Act.
3. The prosecution case, as per the First Information Report, is that the informant, on receiving secret information that in the ruined house of one Tribhuwan Singh, accused persons, Bhola, Tinku @ Bhutta (petitioner) and, Bittu, had kept bomb for the purposes of committing crime, reached at the place of occurrence and on seeing the



police some persons fled away. It has further been alleged that on search, eight bombs were recovered from the said house, which were later on destroyed.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case by the police for ulterior motive. He further submits that the bombs were not recovered from the house of the petitioner; rather, the same were recovered from the ruined house of one Tibhuwan Singh and the petitioner has no concern with the said house. He further submits that the police has not disclosed the source of their involvement in the present case. He further submits that similarly situated co-accused person, namely, Bittu Kumar @ Bittu, has been granted anticipatory bail by a co-ordinate Bench of this Court, vide order, dated 23.09.2024, passed in Criminal Misc. No. 51334 of 2024.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that the petitioner is not named in the First Information Report and has got one criminal antecedent of serious nature of offence; whereas the co-accused, who has been granted anticipatory bail by a co-ordinate Bench of this Court, had



no criminal antecedent, I am not inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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