

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63866 of 2024

Arising Out of PS. Case No.-26 Year-2024 Thana- NATIONAL HIGHWAY District-
Samastipur

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Rajesh Kumar Son of Lakhan Das Resident of Vill- Bajitpur Sarsauna, Ward
No.- 13, P.S.-Bangara, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Priya Saran Singh
For the Opposite Party/s : Mr.Rajendra Prasad Nat

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 11-09-2024 Heard the parties.

2. The petitioner seeks bail in connection with

N.H. Bangra P.S. Case No. 26 of 2024 registered for the

offence under Sections 323, 341, 307/34 of the I.P.C.

and Section 3 & 4 Explosive Substance Act.

3. The petitioner is named in the F.I.R. and is

in custody since 10.06.2024.

4. The allegation against the petitioner is of

throwing bomb on the house of informant, having

intention to cause death of the informant and his family

members, where four live bombs were alleged to be



recovered from the front of the house of the informant which later on defused by calling local *Chawkidar*.

5. Learned counsel appearing on behalf of the petitioner submitted that prior to this occurrence a case was lodged by the wife of the petitioner against the informant of this case, which was registered as Samastipur SC/ST P.S. Case No. 60 of 2023, dated 30.07.2023, for the offences under Section 341, 323, 354, 504/34 of the IPC and under Section 3(1)(r)(s)(w) and 3(2)(1/a) of the SC/ST Act. It is submitted that when the husband of the informant ,who was arrested in connection with aforesaid case released on bail, falsely implicated petitioner with the present case out of previous enmity and oblique motive. It is submitted that from the perusal of the FIR, it can be safely said that no family members including informant received any injury during the course of occurrence and even the bomb which alleged to be recovered was no sent for forensic examination as to ascertain that same having such



potency to cause death of a person and therefore in want of any such forensic examination it cannot be said that petitioner was under intention to cause death of the informant and her family members. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. In view of aforesaid facts and submission and by taking note of fact as both parties are in inimical term where the seized bomb like material from the front of the house of petitioner was not ascertained as bomb during the course of investigation, coupled with fact that charge-sheet has already submitted, where petitioner is in custody since 10.06.2024 , accordingly petitioner above named, is directed to be released on bail in connection with N.H. Bangra P.S. Case No. 26 of 2024



on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M., 1st Class, Samastipur /concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/ Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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