

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68079 of 2024

Arising Out of PS. Case No.-14 Year-2014 Thana- DUMARIYA District- Gaya

1. Atal Manjhi @ Lakhan Bhuian @ Lakhan Rikiyasan S/o Late Laljee Bhuian R/o vill - Bijua, P.S. - Bhadvar, Distt. - Gaya
2. Nanhu Yadav @ Chandan @ Chandar @ Suresh S/o Ramdeo Yadav R/o vill - Matha, P.S. - Dumariya, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kr. Singh, Sr. Advocate

Mr. Praveen Prakash, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 28-10-2024 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Dumariya P.S. Case no. 14 of 2014 registered under sections 436, 147, 148, 149, 435 and 120B of the Indian Penal Code, sections 3 and 4 of the Explosive Substance Act and section 17 of the CLA Act.

3. As per the prosecution case, it is stated that in the night the extremists belonging to MCC carried out a bomb blast destroying the tower of Airtel Company. It is stated that on enquiry from the local population, the names of 50 persons including the petitioner herein transpired as belonging to the MCC besides 50 unknown.



4. Learned Senior counsel appearing for the petitioners submits that the petitioners were not named in the F.I.R. They were falsely implicated in the case in course of investigation. Referring to the description of the petitioners in the F.I.R and the details as available in their Adhar Card brought on record in the supplementary affidavit, it is submitted that the petitioners are not named as their address including the Police Stations are different from the persons named in the F.I.R. It is further submitted that in any case at best the name of the petitioners may be said to have transpired for the first time in paragraph no. 120 of the case diary and it was thereafter that the petitioners were taken into custody on 29.5.2024 and 27.6.2024 respectively. Charge-sheet has been submitted in the case and the petitioners undertake to cooperate in the trial. Lastly he submitted that co-accused Abhay Yadav @ Govind Yadav has been enlarged on bail vide order dated 4.6.2020 passed in Cr. Misc. no. 7169 of 2020.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R, the material that has transpired against the petitioners in course of



investigation, the names of the petitioners having transpired at least on 30.6.2018 and the petitioners having remained at large till they were finally arrested and taken into custody on 29.5.2024 and 27.6.6.2024 respectively in an F.I.R of the year 2014, the Court is not inclined to enlarge the petitioners on bail and the application is rejected.

7. Liberty is granted to the petitioners to renew their prayer for bail after completing one year in custody or after framing of charge, whichever is later.

(Partha Sarthy, J)

Harsh/-

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