

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71791 of 2024

Arising Out of PS. Case No.-22 Year-2014 Thana- KAJRA District- Lakhisarai

Subhag Sah @ Subhash Sah @ Subhash Saw S/O Rohan Sah R/o Village-
Khaira, P.S- Kajra, Distt.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mayank Bilochan, Adv.

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-10-2024 Heard the parties.

2. The petitioner is in custody in connection with Kajra P.S. Case No. 22 of 2014 for the offence punishable under sections 147, 148, 149, 427, 436, 120(b) of the Indian Penal Code, $\frac{3}{4}$ of Explosive Substance Act & 10, 13 of U.A.P. Act lodged on 28.04.2014 by the informant, Parendra Yadav.

3. As per the prosecution story, at the time of Lok Sabha Election, the police upon information to the effect that a blast has taken place at Narottampur Jila High School, reached there and found two big cylinders and three small cylinders. The building was damaged. Accordingly, the FIR and the petitioner is named accused.

4. Learned counsel for the petitioner submits that he is a labour, name appeared in the FIR but he never came to know



about it and once got the knowledge, is in judicial custody since 06.12.2022 (para 15 of the petition). The further submission is that he has been named only because of his criminal antecedent and the last submission is that some of the co-accused has been granted bail which include Sita Ram Koda (Cr. Misc. No. 52146 of 2023).

5. Let the said order be kept on record.

6. Learned APP opposes the prayer for bail submitting that he has criminal antecedent.

7. Though the petitioner has criminal antecedent, has remained in custody since 06.12.2022 has undertaken to diligently appear in trial and further one of the co-accused have been granted bail, this Court is inclined to extend him the privilege of bail with conditions.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned A.D.J.-1st, Lakhisarai, in connection with Kajra P.S. Case No. 22 of 2014 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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