

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10391 of 2025

Arising Out of PS. Case No.-625 Year-2024 Thana- GAYA KOTWALI District- Gaya

Santosh Ram S/O Late Mahabir Ram R/O Mohalla Tel Bigha Domtoli, PS-
Kotwali, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Narsingh Tanti, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 24-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. At the outset, it is made clear that the present has
come up on a mentioning slip and is being heard out of turn.

3. The petitioner apprehends his arrest in connection
with Kotwali P.S. Case No.625 of 2024 registered for the
offences punishable under Sections 109, 118(1) of Bhartiya
Nyay Sanhita, 2023 and Sections 3 and 4 of the Explosive
Substances Act.

4. The prosecution story as disclosed in the First
Information Report is that a bomb exploded in the Kabari shop
(scrap shop) of the petitioner near the toilet of Telbigha Domtoli
in which two children were injured and the information was sent
to the higher officer of bomb squad and the FSL team reached at



the place of occurrence.

5. Learned counsel for the petitioner submits that it would be apparent from the FIR itself that a bomb is said to have exploded outside the shop of the petitioner with which the petitioner was not connected. It is true that the two children were injured at the place of occurrence but the provisions of Sections 109 and 118(1) of the BNS would not be applicable in the facts of the present case as there was neither an intention to kill anyone nor an intention to cause injury. It is more than clear and it also seems to be the case of the prosecution that the bomb has exploded accidentally.

6. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner by stating that some paragraphs of the case diary have been referred.

7. A perusal of the same would go to show that paragraphs 3, 4 and 56 of the case diary are all statements of the police personnel and paragraph 12 is the statement of the injured children who also do not allege anything against the present petitioner.

8. Taking into consideration the abovementioned facts and circumstances of the case and further that the petitioner has no criminal antecedent, I am inclined to extend the privilege of



anticipatory bail to the petitioner. Let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, 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 C.J.M., Gaya in connection with Kotwali P.S. Case No.625 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. and subject to the further condition that the petitioner shall cooperate in the investigation/trial.

(Soni Shrivastava, J)

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