

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41734 of 2025

Arising Out of PS. Case No.-135 Year-2017 Thana- CHANDAN District- Banka

Nuneshwar Roy @ Ray Son of Bhagirath Ray Resident of village -
Karmatand, P.S.- Chandan (Anandpur), District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-07-2025 Heard Ms. Isha Mishra, learned counsel appearing for
the petitioner and Mr.Satyendra Narayan Singh, learned A.P.P.
for the State.

2. The petitioner seeks bail, who is in custody since
16.02.2018 in connection with S.Tr.No. 194 of 2024 arising out
of Chandan (Anandpur) P.S. Case No. 135 of 2017, F.I.R. dated
04.09.2017 corresponding to G.R.No.2837 of 2017 registered
for the offence punishable under Sections
147,148,149,121,121(A),120(B) of IPC, Section 3/4 of the
Explosive Substance Act and Sections 16,17,18,19,20,21,22 of
U.A.P. Act and Section 17 of the C.L.A. Act.

3. On the disclosure made by the co-accused person,
namely, Sadh Khaira @ Sadhu Pujhar, a bag having 50 kg of
explosive substance in six plastic containers has been recovered.



4. Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case and nothing has been recovered from conscious possession of the petitioner. The allegation as alleged in the FIR is false and fabricated and from a bare perusal of the FIR that the name of the petitioner has been transpired during investigation on the basis of the confessional statement of apprehended co-accused person, namely, Sadh Khaira @ Sadhu Pujhar and on the basis of confessional statement of apprehended co-accused person, white coloured powder substance was recovered and the petitioner was not apprehended at the place of recovery and petitioner has been arrested later on and except the confessional statement of apprehended co-accused person, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 16.02.2018.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that from a bare perusal of the FIR which suggests that the petitioner is a member of Nuxel Group and apart from that, the petitioner carries one more case



other than the present one.

6. Considering the aforesaid fact and particularly the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-IV, Banka in connection with S.Tr.No. 194 of 2024 arising out of Chandan (Anandpur) P.S. Case No. 135 of 2017, corresponding to G.R.No.2837 of 2017 with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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