

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38570 of 2025

Arising Out of PS. Case No.-4 Year-2025 Thana- GAUNAHA District- West Champaran

Kanhaiya Mahto S/O Gaya mahto Resident of Village- Bahuarwa P.S-
Sanchari, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 25-06-2025 Heard Mr. Bimlesh Kumar Pandey, learned counsel
for the petitioner and the State.

2. The petitioner is apprehending his arrest in connection with Gaunaha P.S. Case No. 04 of 2025 for the offence under sections 3/4 of the Explosive Substance Act lodged on 01.01.2025 by the informant, Rajeev Kumar.

3. As per the prosecution story, the informant alleged that the locals informed that motorcycles moving towards Narkatiyaganj an explosion occurred due to fire crackers causing injury to those riding it. The locals informed that they were carrying crackers to kill pigs which got exploded. This led to the FIR.

4. Learned counsel for the petitioner submits that repeatedly in one or the other case, in such kind of occurrences,



his name gets incorporated. If the criminal antecedent part is ignored, no case is made out, neither the motorcycle has been seized nor there is anything to show how his name cropped up.

5. Learned APP opposes the prayer submitting that the locals informed that the crackers in the motorcycle got exploded.

6. Taking into account the submissions of the parties as also perusal of the FIR, no motorcycle stands seized, the FIR lodged, the Police will take the matter to its logical conclusion and file its report/charge-sheet, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned JM, 1st Class, Bettiah, West Champaran in connection with Gaunaha P.S. Case No. 04 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(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 next 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)

Adnan/-

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