

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48447 of 2025

Arising Out of PS. Case No.-580 Year-2022 Thana- SASARAM MUFFSIL District- Rohtas

Nitish Chaudhary @ Nithish Kumar S/o- Bharat Chadhary @ Bharat Chaudhary @ Bharath Singh Village- Wazirganj PS-Sasaram Muffasil District-Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashwani Kumar Tiwary, Adv.

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 29-08-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Sasaram Muffsil P.S. Case No. 580 of 2022 dated 22.11.2022 registered for the offences punishable u/ss 3/4 of the Explosive Substance Act.

3. As per the prosecution case, on secret information received by the informant, four miscreants have procured explosive substance and have unloaded the same near Kali Mandir, Vazirganj. It is alleged that on this information, the informant reached the given place. On seeing the police party, 3-4 miscreants started to flee away. It is further alleged that thereafter at some distance from Kali Mandir, police recovered



the huge quantity of explosive substances.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. Nothing has been recovered from the possession of the petitioner rather the recovery has been made from the open field of Harendra Singh and Guddu Singh hence, no case is made out against the petitioner. It is further submitted that the petitioner has no concern with the alleged recovery. The co-accused person has already been granted anticipatory bail by this court vide order dated 13.12.2023 passed in Cr. Misc. No. 75697 of 2023. The petitioner has two criminal antecedents as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Rohtas at Sasaram in connection with Sasaram Muffsil P.S. Case



No. 580 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with further condition:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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