

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65358 of 2025

Arising Out of PS. Case No.-401 Year-2024 Thana- RAJAOLI District- Nawada

1. Avdhesh Singh @ Awadesh Singh S/o Kailash Singh R/o Village- Hardiya Sector (c), P.S.- Rajauli, District- Nawada
2. Munna Singh S/o Amrit Singh R/o Village- Hardiya Sector (c), P.S.- Rajauli, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 15-09-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners have earlier moved before the this Court with a prayer for anticipatory bail which was rejected vide order dated 08.01.2025 passed by a Co-ordinate Bench of this Court in Cr. Misc. No. 88034 of 2024.

2. The petitioners seek bail in connection with Rajauli P.S. Case No. 401 of 2024 instituted for the offences under Sections 3, 4 and 5 of the Explosive Substance Act.

3. As per prosecution case, the accusation against the petitioners is of being indulged in illegal mining. The police has also recovered Giletine wire 133 pieces, Detonator 125 piece



from the place of occurrence.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the present case merely on the basis of suspicion and highhandedness of the police. The petitioners were not arrested on the place of occurrence and their names surfaced in this case in course of investigation. He further submits that there is delay of one day in lodging the F.I.R. that too without there being any plausible explanation for the same which creates doubt in the veracity of the prosecution case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners have no concern with the alleged occurrence. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioners have two criminal antecedents each and are languishing in judicial custody since 17.07.2025 without any rhymes or reason.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. Having heard rival contention of both the parties



and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioners, let the petitioners, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rajauli P.S. Case No. 401 of 2024.

(Rudra Prakash Mishra, J)

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