

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77021 of 2024

Arising Out of PS. Case No.-163 Year-2024 Thana- NAGAR District- Vaishali

Bhola @ Bhola Shah @ Bhola Sah S/O Lakshman @ Lakshman Shah R/O
Village- Katra Mohalla, P.S- Hajipur Town, Distt.- Vaishali ... Petitioner/s
Versus

The State of Bihar ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Kumar, Advocate

For the Opposite Party/s : Mr.Sunil Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 2 27-03-2025 Heard learned counsel for the petitioner and the State.
2. Petitioner apprehends arrest in connection with Hajipur Town P.S. Case No. 163 of 2024 for the offence registered under Sections 4/5 of the Explosive Substance Act
3. As per the prosecution case, informant alleges that he received secret information while patrolling that in the ruined house of Tribhuwan Singh, accused Bhola (petitioner herein), Tinku @ Bhutta, Bittu had kept bomb for the purposes of committing crime, accordingly, informant reached place of occurrence when there persons on seeing police vehicle fled away but on search, 'sutri' (thread) bomb were recovered along with other articles.
4. Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Seizure list (Annexure -2) does not disclose from where bombs were recovered, though in the FIR, it is alleged that the bombs were recovered from the ruined house of Tribhuwan Singh which cast an aspersion on the case of the prosecution. No incriminating article has been recovered from the conscious possession of the petitioner. Co-accused,



with similar allegation, has already been allowed pre-arrest bail by a co-ordinate bench of this Court vide order passed in Cr.Mis.No. 51334/2024. Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the prayer for bail.

6. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within eight weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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