

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87616 of 2024

Arising Out of PS. Case No.-390 Year-2023 Thana- RANIGANJ District- Araria

Naushad Shah @ Nausad Sah @ Md. Noshad Sah Son of Md. Mustafa @
Fiecha @ Multan Resident of Village- Kala Baluwa, P.S.- Raniganj, Distt.-
Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 17-01-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Raniganj P.S. Case No. 390 of 2023 dated 05.10.2023 registered for the offences punishable u/s 307 of the Indian Penal Code and Section 3/4 of the Explosive Substance Act.

3. As per the prosecution case, the informant's son along with other children of village had gone to bank of canal to bring firewood then they saw something in an old plastic bag near babul tree, in course of collecting firewood, there was explosion in bag and five children including the informant's son sustained injuries. Thereafter, the injured were taken to the



hospital for treatment. It is further alleged that dacoity was held in the house of one Rinku Nayak 15 to 16 days ago and articles of Rinku Nayak were also found near place of occurrence. It is alleged that the unknown miscreants threw the bomb in bush near canal in course of fleeing away.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused, Manoj Sah. Nothing has been recovered from the conscious possession of the petitioner. No T.I.P. has been conducted by the prosecution. The other co-accused, Suman Kumar Paswan has already been granted regular bail by this court *vide* order dated 20.07.2024 passed in Cr. Misc. No. 42007/2024. The petitioner has five criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 19.09.2024.

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

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond



of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Araria in connection with Raniganj P.S. Case No. 390 of 2023, with the 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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