

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89302 of 2024**

Arising Out of PS. Case No.-553 Year-2024 Thana- GAUTAMBUDHNAGAR District-
Siwan

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1. Md. Samir S/o Md. Sagir RO Village - Chhitauli Kalan, PS- Goriyakothi, District- Siwan
 2. Sahid Ali S/o Bhadrul Ali @ Bhadrul R/o vill - Baitalpur, P.S. - Gauri Bazar, Distt.- Deoria, U.P.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

6 05-05-2025 Heard learned counsel for the petitioners, learned
APP for the State and perused the case diary.

2. The petitioners seek bail in connection with Gautam Buddha Nagar P.S. Case No. 553 of 2024, instituted for the offences punishable under Section 125 of the Bharatiya Nyaya Sanhita, 2023 and Section 4/5 of the Explosive Substance Act.

3. The prosecution case, in short, is that, during course of vehicle checking, the police stopped the petitioners and on search, they found explosive materials in a sack. It is further alleged that they were unable to provide valid documents for the said items.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the



present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioners. Learned counsel for the petitioners also submits that father of petitioner no. 1 deals in crackers on the occasion of Diwali and Chhath since long. It is further submitted that the petitioners were arrested by the police on the basis of suspicion. The petitioners are in custody since 02.11.2024 and have got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Gautam Buddha Nagar P.S. Case No. 553 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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