

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15303 of 2026

Arising Out of PS. Case No.-14 Year-2025 Thana- SHERGHATI District- Gaya

Md. Sohail @ Md. Sohail Sheikh @ Sohail Sheikh S/o- Md. Hasan @ Bhola
Shaikh R/v- Ward No 16, Ramna, P.S.- Sherghati, District- Gaya,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Manish Kumar, Advocate
	Mr. Gajendra Kumar Singh, Advocate
For the Opposite Party/s :	Ms. Asha Devi, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-05-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 3, 4 and 5 of the Explosive
Substances Act, 1984.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is in custody since
10.12.2025. It is further submitted that during pendency of the
instant bail application, the petitioner was remanded in one case,
as such, petitioner was a person with clean antecedent when the
bail application was filed but subsequently he came to be
implicated in one more case. It is next submitted that informant
alleges that on 07.01.2025, he received an information that bomb
exploded in the house of Jumman Mistry causing injury to two
minor children, accordingly, he reached the place of occurrence



and on investigation, it transpired that the bomb which had exploded in the clinic of Dr. Tapeswar Prasad, in the said occurrence, Danish Iqbal, Md. Sohail and Chhotu were involved. Further, the accused persons with consent of uncle of Sohail, i.e., Jumman Mistry had concealed the leftover bomb in his house which exploded on 07.01.2025 in which the minor aged about 9 and 11 years were injured, accordingly, the house of Danish Iqbal and petitioner was raided but the accused were absconding.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that it is not the case of the prosecution that petitioner threw bomb rather allegation is that he with consent of his uncle, namely, Jumman Mistry had concealed the bomb in his house which exploded causing injury to two minor children. It is next submitted that Jumman Mistry had approached this Court seeking regular bail by filing Cr. Misc. No. 20723 of 2025 and the same came to be allowed vide order dated 20.08.2025 passed by a learned Coordinate Bench of this Court. It is, thus, submitted that if Jumman Mistry has been granted bail, the case of the petitioner is on a better footing for the reason that it was with consent of Jumman Mistry that the bomb was kept in his house which subsequently exploded.



5. Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner and submits that from perusal of the order dated 20.08.2025 in Cr. Misc. No. 20723 of 2025, it would manifest that the consideration for granting bail to Jumman Mistry was that he himself was a victim of circumstance as a plea was taken that he was not even aware that petitioner had concealed the bomb on his roof. It is further submitted that had Jumman Mistry been aware that bomb has been concealed in his house whether he would have allowed his two minor children, aged about 9 and 11 years, to go on the roof for playing as the children got injured when the bomb exploded.

6. After hearing the learned counsel for the parties, the Court is not inclined to release the petitioner on bail in connection with Sherghati P.S. Case No. 14 of 2025 pending in the Court of learned 1st Additional Chief Judicial Magistrate, Sherghati, Gaya/Successor Court.

7. Hence, the prayer for bail is rejected.

(Satyavrat Verma, J)

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