

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30911 of 2016

Arising Out of PS.Case No. -647 Year- 2014 Thana -SITAMARHI District- SITAMARHI

=====

Shashi Bhushan Mishra, Son of Late Rameshwar Mishra, resident of
village- Dhurwar, P.S. Parsawani ,District-Siramarhi

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Virendra Kumar, Advocate.

For the Opposite Party : Mr. Sri Satyendra Prasad (APP)

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 09-08-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 3/4/5/7/9 of Prevention of
Immoral Traffic Atrocities Act (PITA Act).

Earlier the prayer for bail of the petitioner was twice
rejected by co-ordinate Bench of this Court but the petitioner
seeks bail on the ground that co-accused Chotu Kumar and Pankaj
Kumar having serious allegation have already been granted
privilege of bail by co-ordinate Bench of this Court, whereas the
petitioner is in jail custody since 04.08.2014 and up till now, only
charge could be framed against the petitioner.

From perusal of the First Information Report, I find

that the petitioner was working as waiter in hotel Atithi, whereas co-accused Pankaj Kumar was Manager of the aforesaid hotel. Furthermore, I find that one Ranjita Devi was caught in the aforesaid hotel along with Chotu Kumar in objectionable condition and the statement of aforesaid Ranjita Devi was recorded under Section 164 of the Cr.P.C., in which, she stated that she was taken to concerned hotel by co-accused Chotu Kumar and in the said hotel, one person made attempt to commit rape on her. Ranjita Devi has not whispered even a single word against the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-Ist, Sitamarhi in connection with Sessions Trial No. 18 of 2014, arising out of Sitamarhi P.S. Case No. 647 of 2014, corresponding to G.R. No. 2697 of 2014.

(Hemant Kumar Srivastava, J.)

Amit/-

U		T	
---	--	---	--