

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29216 of 2016

Arising Out of PS.Case No. -38 Year- 2016 Thana -RAJPUR District- BUXAR

Sanjiv Mishra Son of Yogendra Mishra Resident of village - Harnichatti,
P.S. Koransrai, Distt. - Buxar at Present vill. Sheopuri, P.S. Buxar (T),
Distt. Buxar

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Ravi Shanker Pankaj, Advocate.

For the Opposite Party : Mr. Smt. Anusuiya Jaiswal (APP)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 02-09-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody in connection
with Rajpur P.S. Case No. 38 of 2016 for the offences instituted
under Sections 393, 307/34 of the Indian Penal Code and Section
27 of the Arms Act.

The prosecution story in brief, is that on 19.02.2016 at
about 7.00 P.M., while the informant was coming to his home on
his motorcycle, three unknown miscreants collided their
motorcycles with his motorcycle, due to which, he fell down and
one of the miscreants fired upon his knee.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 04.05.2016. The charge sheet

has been submitted in the present case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is not named in the First Information Report and he has been made accused on the basis of his self confession. The petitioner has not been put on Test Identification Parade nor there is any recovery of incriminating article from the possession of the petitioner. It is further submitted that the petitioner may be released on bail, after completion of 9 (Nine) months in custody i.e. from 04.05.2016.

On behalf of the state, it has been submitted that the petitioner is not named in the First Information Report.

Considering the aforesaid facts and circumstances, it is directed that the above named petitioner shall be released on bail after completion of nine months in custody from 04.05.2016, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-VII, Buxar, in connection with Rajpur P.S. Case No. 38 of 2016,

(Sudhir Singh, J.)

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