

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51478 of 2016

Arising Out of PS.Case No. -138 Year- 2016 Thana -LAXMIPUR District- JAMUI

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Bambam Mishra Son of Parmanand Mishra, R/o Village- Karnpur, P.S.-
Laxmipur, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Niranjan Parihar

For the Opposite Party/s : Mr. Sri Ram Sumiran Roy

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 16-12-2016 Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 399, 402 and 120 (B) of the I.P.C

Allegedly, when the petitioner and others were
making plan to commit crime, raid was conducted and the
petitioner was also apprehended and from his possession one
country made Katta having one cartridge and further one cartridge
from his pant and two mobiles were recovered.

Submission is of false implication and that the
petitioner is the brother of Tantan Mishra and on that ground the
petitioner has been implicated to put pressure to arrest Tantan
Mishra, the petitioner has got no concern with the alleged crime,



he has been made victim of the police atrocity, the petitioner is in custody since 27.08.2016, co-accused Prince Mishra has been allowed bail and as such the petitioner also deserves sympathetic consideration.

The learned A.P.P. opposes prayer for bail by submitting that from Prince Mishra only mobile was recovered, whereas, from possession of the petitioner firearm with cartridges have been recovered.

In the facts and circumstances as stated above, at present I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Laxmipur P.S. Case No. 138 of 2016 pending in the court of Sri Amrendra Kumar, J.M. 1st Class, Jamui.

However, the petitioner may renew his prayer for bail after remaining six months in custody from the date of his remand.

(Jitendra Mohan Sharma, J)

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