

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.44666 of 2016**

Arising Out of Sheohar PS.Case No. -269 Year- 2015 Thana -  
 SHEOHAR District- SHEOHAR

Prabhakar Mishra @ Prabhakar Jha, S/o Shyam Sunder Mishra, R/o village  
 Gangwara, P.S. Runnisaidpur, District Sitamarhi

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Md. Imtiyaz Hussain

For the Opposite Party/s : Mr. Satyavarat Verma

**CORAM: HONOURABLE THE CHIEF JUSTICE**  
**ORAL ORDER**

2      06-10-2016

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Prabhakar Mishra @ Prabhakar Jha, in connection with Sheohar Police Station Case No. 269 of 2015, under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act, 1959.

Perused the above application and materials on record.

Heard Mr. Md. Imtiyaz Hussain, learned Counsel for the petitioner, and Mr. Satyavarat Verma, learned Additional Public Prosecutor, appearing on behalf of the State.

It is submitted, on behalf of the accused-petitioner, that the co-accused, namely, Om Prakash Singh and Mangal Jha

have already been granted bail by the orders, dated 05.04.2016 and 24.05.2016, passed in Cr. Misc. Nos.5936 of 2016 and 20456 of 2016 by different Benches of this Court.

In view of the fact that the accused above-named has been in custody since 25.05.2016 in connection with the case aforementioned and though *charge sheet* has been submitted, trial has not yet commenced and perusal of the materials available does not reveal such incriminating materials, which would warrant further detention of the accused-petitioner in custody and in view also of the fact that the perusal of the materials does not reveal that the accused-petitioner's liberty on bail would adversely affect his trial, it is, in the interest of justice, hereby directed that the accused above-named shall be released on bail of Rs. 10,000/- with two sureties, each of the like amount, subject to the satisfaction of the learned Chief Judicial Magistrate, Sheohar, in connection with Sheohar Police Station Case No. 269 of 2015.

This direction for bail is further subject to the condition that the accused above-named shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence and shall appear, in the learned Court

below, as may be directed.

In terms of the above observations and directions, this  
bail application shall stand disposed of.

(I.A. Ansari,CJ)

A.I./-

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