

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38613 of 2016

Arising Out of PS.Case No. -91 Year- 2015 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

=====

Rakesh Mishra S/o Awadh Kishore Mishra Resident of Village-
Lakhanipur, Police Station - Paharpur, District East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance:

For the Petitioner : Mr. Ajay Kumar Singh, Adv.

For the Opposite Party : APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 22-09-2016 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 447, 341, 323, 324, 307, 379, 504 and 34
of the Indian Penal Code registered in connection with Paharpur
P.S. Case No. 91 of 2015 (Tr. No. 403 of 2015).

3. It is submitted that the petitioner has been falsely
implicated and there is no accusation of assault or snatching as
concerns the petitioner, who is merely said to be present. The
petitioner stands on a better footing than the co-accused
Radheshyam Mishra @ Radheyshyam Mishra, who has been
granted anticipatory bail by this Court in Cr. Misc. No. 38613 of
2016.

4. Having regard to the entirety of the facts and
circumstances, in the event of the petitioner's arrest or surrender
before the court below within six weeks from the date of
communication of this order, let the above named petitioner be
released on bail on furnishing bail bond of Rs.10,000/-(ten

thousand) with two sureties of like amount each to the satisfaction of Sri N.K. Yadav, learned J.M. Ist Class Sadar, Motihari, East Champaran lin connection with Paharpur P.S. Case No. 91 of 2015 (Tr. No. 403 of 2015), subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions-

- (i) That one of the bailors shall be a close relative of the petitioner.
- (ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- (iii) That the petitioner shall cooperate with the investigation and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- (iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Chandran/lbrar

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