

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41315 of 2016

Arising Out of PS.Case No. -204 Year- 2014 Thana -KOTWALI District- MUNGER

Prashant Mishra @ Baba Son of Bipin Mishra resident of village - Hassanpur, Police Station Muffasil, District - Munger

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance:

For the Petitioner : Mr. Sanjiv Kumar Singh, Advocate

For the Opposite Party : Mr. J.K. Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 20-10-2016 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody since 20.05.2016 in connection with S. Tr. No. 172 of 2016 arising out of Kotwali P.S. Case No. 204 of 2014 for the alleged offences under Sections 387, 307, 120B, 34 of the Indian Penal Code and Sections 3 and 4 of the Explosive Substance Act.

3. It is submitted that the petitioner has been falsely implicated and the FIR is against unknown persons. The name of the petitioner has surfaced on the confessional statement of co-accused Suraj Sah @ Jharkhawa @ Hharkahwa @ Suraj Kumar who has been granted bail by this Court in Cr. Misc. No. 39333 of 2016 (Annexure-4), after noticing that he was made accused in 24 other cases. The petitioner was accused in 32 cases, out of which he has been acquitted in 16 cases.

4. Having regard to the entirety of the facts and circumstances of the case, let the petitioner above named 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 learned Additional Sessions Judge Vth, Munger in connection

with S. Tr. No. 172 of 2016, arising out of Kotwali P.S. Case No. 204 of 2014 on the following 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 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)

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