

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.51615 of 2016**

Arising Out of PS.Case No. -42 Year- 2016 Thana -BEGUSARAI GRP CASE District-  
BEGUSARAI

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Saurav Kumar Mishra @ Misharwa, son of Jaychand Mishra, resident of  
Village- Fulwaria, P.S.- Fulwaria, District- Begusarai.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Raj Kumar Sinha

For the Opposite Party/s : Mr. Sri Mukeshwar Dayal

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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 offence  
punishable under section 379 of the I.P.C

Allegedly, lady purse of wife of the informant was  
lifted containing cash, mobiles, Mangalsutra, ring etc. and during  
course of investigation the name of the petitioner transpires in the  
confessional statement of co-accused Om Prakash Kumar.

Submission is that save and except confessional  
statement of co-accused there is nothing against the petitioner, he  
has not been put on the test identification parade, nothing has been  
recovered from his conscious possession and without any fault he



is suffering in custody since 25.05.2016, Om Prakash Kumar has been allowed bail vide B.A. No. 1001 of 2016 and the case of this petitioner is on similar footing.

The learned A.P.P. submits that co-accused Om Prakash Kumar has been granted bail.

In the facts and circumstances as stated above, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Rail Judicial Magistrate, Barauni in Barauni Rail P.S. Case No. 42 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

**(Jitendra Mohan Sharma, J)**

Abhay/-

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