

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53722 of 2016

Arising Out of PS.Case No. -10 Year- 2016 Thana -JALALPUR District- SARAN

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Om Prakash Mishra @ Mithu, Son of Ashok Mishra, resident of village -
Noor Nagar Kahi, P.S. Jalalpur, District- Saran. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Shatrughan Pandey, Advocate
For the Opposite Party : Mr. Arun Kumar Singh -5 (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 20-12-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection
with Jalalpur P.S. Case No. 10 of 2016, registered for the offence
punishable under Section 392 of the Indian Penal Code.

Allegedly, when the informant after closing his
mobile shop proceeded towards his house along with one Laptop
and three mobiles and when he reached near road near the house
of Ram Nath Mishra, then two persons stopped him and started
assaulting him by means of fists and slaps and snatched his
Laptop, mobiles and cash of Rs. 1400/- from his possession on the
point of country made pistol and threatened to go ahead silently
and accused persons fled away on a motorcycle.

Submission is of false implication and that the
petitioner is not named in the First Information Report, his name



has come on the basis of confessional statement of co-accused Satin Kumar, confessional statement made before the police has got no value in the eye of law, other co-accused of this case namely Satin Kumar, Vivek Kumar Singh, Vishwakarma Kumar and Faruque have been granted bail vide B.P. Nos. 804 of 2016 and 681 of 2016 and, as such, now the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, considering that the name of the petitioner has come in the confessional statement of Satin Kumar, Satin Kumar and others have been granted regular bail and, as such, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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 learned Chief Judicial Magistrate, Saran at Chapra, in connection with Jalalpur P.S. Case No. 10 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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