

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6301 of 2016

Arising Out of PS.Case No. -627 Year- 2015 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

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1. Amit Kumar Mishra @ Amit Mishra @ Amit Kumar S/o Nawal Kishore
Mishra, Resident of Village- Belwa, P.S. Bettiah Muffasil District- West
Champaran Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Ram Sewak Chaudhary(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

4 06-04-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Bettiah
Muffasil P.S. Case No. 627 of 2015 registered for the offences
punishable under Sections 394/34 of the Indian Penal Code which
was converted into Sections 395/216 of the Indian Penal Code
later on.

Allegedly, three motorcycle borne criminals surrounded
the informant and after assaulting with knife and breaking the
dicky of the motorcycle of the informant took away bag
containing ornaments. During investigation the name of the
petitioner transpired in Chanpatiya P.S. Case No. 284 of 2015 and
from the house of Prince Kumar arms was also recovered.

Submission is of false implication and that the petitioner

is in custody since 09.12.2015 but he has not been put on test identification parade, nothing has been recovered from his conscious possession and only on the basis of alleged confessional statement he is in custody and as such he deserves sympathetic consideration.

Learned APP after going through the case diary fairly submits that besides confession in another case there is no other material but the petitioner has criminal antecedent.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah in connection with Bettiah Muffasil P.S. Case No. 627 of 2015, 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)

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