

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55159 of 2016

Arising Out of PS.Case No. -120 Year- 2016 Thana -JAMOBABAZAR District- SIWAN

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Binod Kumar Mishra s/o Late Raghunath Mishra, r/v- Fatehpur, P.s. – Jamo
Bazar, District – Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Kant, Adv.

For the informant Mr. Ranjeet Kumar, Adv.

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

3 28-02-2017 Heard both sides.

The petitioner seeks bail in Jamo Bazar P.S. Case No.
120/2016, registered for the offences punishable under Section
307 and other sections of the Indian Penal Code and Section 25(1-
b) A, 26 and 37(B) of the Arms Act.

The informant named the petitioner along with other
accused persons and alleged that petitioner also fired at the
informant while he was returning to his house, but the shot did not
hit the informant. It is further alleged that all the other accused
persons assaulted the informant and also pressed his neck with
rope and locked him in a room, thereafter, left the informant after
confirming him dead.

Learned counsel for the petitioner submits that there is



counter version bearing Jamo P.S. Case No. 122/2016. The informant is a driver of the police station that is why he took advantage and lodged false case. Seven injuries are found on the person of the informant, but only one injury is found to be grievous in nature. Other accused persons namely, Janardan Mishra, Prashant Kumar Mishra and Amit Kumar Mishra have already been granted anticipatory bail vide order dated 07.02.2017 passed in Cr. Misc. 2325/2017. The petitioner is in jail since 31.10.2016. The petitioner has already remained in jail for four months.

Learned counsel for the informant as well as learned A.P.P. vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and nature of allegation made against the petitioner and the fact that petitioner has already remained in jail for four months, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate Ist, Siwan in connection with Jamo Bazar P.S. Case No. 120/2016.

(Prabhat Kumar Jha, J.)

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