

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35105 of 2017

Arising Out of PS.Case No. -35 Year- 2016 Thana -MOTIHARI RAIL P.S. District-
WESTCHAMPARAN(BETTIAH)

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1. Krishna Kant Mishra Son of Late Pashupati Mishra, Resident of Village-
Usari, P.S.- G.B. Nagar, Tarwara, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-08-2017 The petitioner seeks regular bail in connection with

Motihari Rail P.S.Case No.35 of 2016, registered for offences

punishable under Sections 467, 468, 471, 419, 420 and 120B of

the Indian Penal Code.

Allegation against the petitioner is that the petitioner

is not named in the F.I.R. and as per F.I.R. it appears that the

allegation is that 2560 mtonnes stone chips have been brought at

the Chakia Railway Station without any paper.

Submission of the learned counsel for the petitioner is

that the whole dispute is relating to payment of sales tax and now

the petitioner has deposited the sales tax amount, which will

appear from annexure-2 and annexure 3. Furthermore, the

petitioner is in custody for four months. It has also been submitted



that the another co-accused persons having similar allegation has already been granted bail by this Court vide order dated 1.6.2017 passed in Cr.Misc. No.24969 of 2017.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Railway, Bettiah (West Champaran) in connection with Motihari Rail P.S.Casae No.35 of 2016.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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