

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19129 of 2017

Arising Out of PS.Case No. -94 Year- 2016 Thana -SHAMBHUGANJ District- BANKA

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1. Sanjeev Mishra Son of Sri Chakradhar Mishra, resident of village -
Mirjapur, P.S. Shambhuganj and District – Banka Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madan Mohan

For the Opposite Party/s : Mr. Sri Umesh Lal Verma

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 25-05-2017 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner apprehends his arrest in connection with
Shambhuganj P.S. Case No. 94 of 2016 registered for the offences
punishable under Sections 302 and 120(B)/34 of the Indian Penal
Code.

Allegedly, the son of the informant went to Tarapur
market and did not return and the following morning his dead
body was recovered. It is stated that the petitioner and others had
previously threatened the informant and his family members with
dire consequences.

Submission is of false implication and that except the
suspicion raised in the F.I.R. there is nothing incriminating
materials against the petitioner. It is also not the case that only one
or two days prior to the occurrence such threatening was given to



the informant, there was no material that they have been seen on or around the place of occurrence during relevant time. Other co-accused persons Subhash Singh and Bipin Singh have been allowed anticipatory bail vide Cri. Misc. No. 43045 of 2016 by another co-ordinate Bench of this Court and thereafter Ramakant Mishra and Satish Mishra have been also allowed anticipatory bail by this Court vide Criminal Miscellaneous No. 6963 of 2017 and as, such, the petitioner also deserves sympathetic consideration.

The learned A.P.P. submits that the petitioner is also named in the F.I.R. and during investigation the witnesses have stated that petitioner and others have caused threats earlier.

In the facts and circumstances stated above, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of the order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Banka in connection with Shambhuganj P.S. Case No. 94 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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