

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.58450 of 2017

Arising Out of PS.Case No. -353 Year- 2013 Thana -BUXAR District- BUXAR

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Srikant Mishra, Son of Late Kedar Nath Mishra, Resident of Village- Jigina,
Police Station- Sikraul, District- Buxar.

.... Petitioner

Versus

The State of Bihar.

... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Sinha, Advocate

For the Opposite Party/s : Mrs. Reena Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 12-12-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Sessions Trial No.37 of 2014 arising out of Buxar (T) P.S.
Case No. 353 of 2013 registered under Sections 365 of the
Indian Penal Code but cognizance has been taken under Sections
364, 364A, 420 and 120B of the Indian Penal Code.

It is contended by the learned counsel for the
petitioner that neither the petitioner was named in the FIR nor
his name transpired during investigation nor he was sent up for
trial. In course of trial of some other accused persons, for the
first time, some witnesses took his name pursuant to which
summons were issued against him in exercise of powers



conferred under Section 319 of the Cr.P.C., which too was not served upon him as a result of which warrant of arrest has been issued against him. He submitted that because of the issuance of warrant of arrest, the petitioner is apprehending his arrest.

Learned counsel for the State does not dispute the contentions made by the learned counsel for the petitioner. He submitted that the petitioner may appear before the court and seek bail.

Considering the facts and circumstances of the case, in the event of arrest or surrender in the court below within four weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VI, Buxar in connection with S.T. No.37 of 2014 arising out of Buxar (T) P.S. Case No. 353 of 2013 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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