

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 6323 of 2017

Arising Out of PS.Case No. -43 Year- 2016 Thana -BUXAR INDUSTRIAL District- BUXAR

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Sanjeev Mishra son of Yogendra Mishra, resident of Village – Harnichatti,
P.S. Koransarai, District – Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Amrendra Kumar

Mr. Manish Rai Sharma

For the Opposite Party/s : Mr. Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 15-03-2017 Heard Dr. Amrendra Kumar, learned counsel assisted
by Sri Manish Rai Sharma, learned counsel for the petitioner and
Mr. Humayou Ahmad Khan, learned Addl. Public Prosecutor.

This is the 2nd attempt for grant of bail on behalf of
sole petitioner. Earlier, the prayer for bail of the petitioner was
rejected, vide order dated 16-08-2016 passed in Cr. Misc. No.
31883 of 2016.

In this case, earlier a report was called for from the
court of learned Addl. Sessions Judge – V, Buxar in Sessions Trial
No. 261 of 2016, which has been received and kept at flag ‘A’.
The report suggests that though the case was committed to the
court of sessions, till date, charge has not been framed and one of
the co-accused has filed discharge petition and the case is fixed for
hearing on discharge petition.



Keeping in view of the fact that petitioner is in custody since 03-04-2016 in a case registered for offence under Sections 399, 402, 420, 467, 468, 272, 273 of the Indian Penal Code, Sections 25(1-b)A, 26, 35 of the Arms Act, 1959 and Section 47(A) of the Bihar Excise Act in Buxar (Industrial) P.S. Case No. 43 of 2016 and the fact that some of the accused have already been granted bail, there is no reason to further detain the petitioner.

Accordingly, let the petitioner namely Sanjeev Mishra 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 learned Additional Sessions Judge – V, Buxar in connection with Buxar (Industrial) P.S. Case No. 43 of 2016, corresponding to Sessions Trial No. 261 of 2016, with condition that one of the bailor must be blood relation of the petitioner and during the trial, on each and every date, the petitioner shall remain physically present before the trial court. If continuously on two dates, the petitioner fails to appear, without prior permission of the trial court, his bail-bond shall stand automatically cancelled.

(Rakesh Kumar, J.)

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