

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18922 of 2017

Arising Out of PS.Case No. -369 Year- 2016 Thana -BARAUNI District- BEGUSARAI

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1. Bihari Mishra, S/o Chumman Mishra, R/o Village- Bishanpur, P.S.-
Barauni (Chakia), Dist. Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. Sri Rajendra Nath Jha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 02-05-2017 Heard the parties.

The petitioner seeks regular bail in connection with Barauni
(F.C.I.) P.S.Case No.369 of 2016, registered for offences
punishable under Sections 302 and 34 of the Indian Penal Code.

The petitioner is not named in the F.I.R. and his name
transpired during the course of investigation.

It is submitted on behalf of the petitioner that except
confessional statement, there is nothing against him and he is in
custody since 2.11.2016 and the charge-sheet has already been
submitted in this case.

Heard learned A.P.P. also, who has opposed the prayer for
bail.

Having heard both sides and in view of the fact except



confessional statement, there is nothing against the petitioner and the charge-sheet has been submitted, as such, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Begusarai in connection with Barauni (F.C.I.) P.S.Case No.369 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 reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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