

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18912 of 2017

Arising Out of PS.Case No. -18 Year- 2017 Thana -BANMANKHI District- PURNIA

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Anant Kumar Mishra @ Bhagwan Jha, Son of Late Puran Mishra, resident
of Village- Barmotra, P.S. Bhargama, District- Araria.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. N.K.Agrawal, Sr.Advocate with
Mr. Vijay Anand, Advocate

For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 20-06-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Banmankhi P.S.Case No. 18 of 2017 registered for the offences
punishable under Sections 302/34 of the Indian Penal Code and 27
of the Arms Act.

Allegation against the petitioner is of killing the
deceased.

It has been submitted on behalf of the petitioner that at
best allegation against the petitioner is that deceased had disclosed
the name of petitioner and eight other accused persons. However,
case diary discloses that one accused Jangla was seen at the place
of occurrence and he has confessed that he has committed the
murder of the deceased and mobile was recovered from other co-



accused and except that there is nothing against the petitioner, who is in custody for five months having no criminal antecedent.

Heard learned APP and learned counsel for the informant also. They have opposed the prayer for bail stating that the petitioner has committed the murder because petitioner is ex-Sarpanch, whereas deceased was present Sarpanch and apart from that there are other materials against the petitioner, as such, petitioner does not deserve bail.

Having heard both sides and considering the aforesaid facts and circumstances and also considering the fact that one Jangla has accepted his guilt and mobile was recovered from other accused and there is only one injury found on the person of deceased, as such, let the petitioner, named above, be released 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 the Additional Chief Judicial Magistrate-VI, Purnea, in connection with Banmankhi P.S.Case No. 18 of 2017, G.R.No. 284 of 2017, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or



tamper with the evidence.

(iii) The petitioner shall cooperate 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, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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