

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.8606 of 2017

Arising Out of PS.Case No. -86 Year- 2011 Thana -GOH District- AURANGABAD

=====

Mritunjay Mishra @ Mritunjay Jee @ Mirtunjay Mishra, S/o Late Bindeshwar Mishra, R/o Village- Misir Bigha, P.S.- Pauthu, in the District of Aurangabad.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. S. Ehteshamuddin

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 29-03-2017 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in a case instituted under Sections 147, 148, 149, 342, 323, 379, 384, 435 of the Indian Penal Code and Section 27 of the Arms Act and Section 17 of the C.L.A. Act.

The prosecution case, in brief, is that 10 to 12 unknown accused persons came with arms and forcibly set the JCB machine on fire and fled away raising slogan 'MCC Zindabad'.

Earlier the bail application of the petitioner was rejected vide Annexure-1 to the present application with direction to the trial court to conclude the trial preferably within a period of one year from the date of receipt/production of a copy of this order.



A report was called for from the trial Court regarding the stage of the case. It has been reported that the charge has already been framed in the case.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 05.09.2013 i.e. for approximately 3 years and 7 months. There is general and omnibus allegation made against the petitioner. Except for suspicion, there is no direct or indirect evidence against the petitioner to suggest his implication in the present case. The other co-accused have been granted bail vide Annexure-3 series to the present application.

On behalf of the State, it has been submitted that the petitioner is not named in the F.I.R. His name has come in course of investigation.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Shri K.K. Shukla, Judicial Magistrate, 1st Class, Daudnagar, Aurangabad, in connection with Goh P.S. Case No. 86 of 2011.

(Sudhir Singh, J)

Amit/-

U		T	
---	--	---	--

