

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40989 of 2018

Arising Out of PS. Case No.-85 Year-2018 Thana- PAHARPUR District- East Champaran

Deepak Kumar Mishra S/o Shiv Sagar Mishra, R/o Vill.- Sonval, Mishra
Tola, P.S.- Malahi Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore, Advocate

For the Opposite Party/s : Mr. Sakir Ahmad, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 11-07-2018 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

Petitioner seeks bail in connection with Paharpur
P.S. Case No. 85 of 2018 registered for the offence punishable
under Sections 379, 411, 414 and 413 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while he had gone to the market on his bicycle to purchase
some goods, three persons in a motorcycle came and snatched
his mobile and fled away. On hulla, local villagers came and
caught hold the accused persons, one of them being petitioner.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has been falsely implicated in
the aforesaid case. He submits that he is in custody since
04.04.2018, charge-sheet has already been submitted and there



is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned A.P.P. for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent and one more case of similar nature is pending against him.

Considering the facts and circumstances and the materials on record as well as the period of custody, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Paharpur P.S. Case No. 85 of 2018, subject to the conditions that:

(1) One of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.

(2) It is also made clear that if, in future, petitioner indulges in an offence of similar nature, the prosecution will be at



liberty to move the learned Court below for
cancellation of his bail bonds.

(Nilu Agrawal, J.)

Arjun/Ragini

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