

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27382 of 2018

Arising Out of PS. Case No.-357 Year-2017 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Ujal Misra @ Ujjwal @ Ujjwal Mishra S/o Munna Misra @ Anil Kumar
Mishra, R/o Vill.- Karpurigram, P.S.- Samastipur Muffasil, District-
Samastipur ... Petitioner

Versus

The State of Bihar ... Opposite Party

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Appearance :

For the Petitioner : Mr. Abhay Shankar Singh, Adv.
For the Opposite Party : Mr. Ramchandra Sahani, APP 124

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 24-07-2018 Heard learned counsel for the petitioner and the State.

The petitioner is languishing in jail since 21.11.2017
in connection with Samastipur Muffasil P.S. Case No. 357 of
2017 registered under Sections 302/34 of the Indian Penal Code
and 27 of the Arms Act.

Learned counsel for the petitioners submits that the
petitioner has been falsely implicated in connection with the
present case. It is, further, submitted that actually the informant
is not the eye witness of the occurrence and she has named the
petitioners on suspicion and subsequently has changed her
version. It is, further, submitted that even in the diary the only
material which has come is that the petitioner is friend of the
nephew of the deceased and it has also come that he is not
having any enmity. The petitioner is belonging to another



village. The learned counsel for the petitioner submits that the petitioner will abide with the terms and conditions of this Court, if enlarged on bail, and the father of petitioner is willing to be the bailor.

Considering the aforesaid facts and circumstances and admittedly that the informant had come to the place of occurrence just after the firing as is evident from the case diary, which has been perused by the learned counsel for the State, let the petitioner, named above, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with Samastipur Muffasil P.S. Case No. 357 of 2017 to the satisfaction of the Additional Chief Judicial Magistrate, Samastipur, on the following conditions.

(1) One of the bailors will be the father of the petitioner.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned Court



concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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