

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55911 of 2018

Arising Out of PS.Case No. -1005 Year- 2016 Thana -SAHARSA District- SAHARSA

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Ashish Mishra @ Ashish Kumar Mishra, Son of Manoj Kumar Mishra,
Resident of Village- Tiwari Tola, Ward No.33, P.S.- Saharsa Sadar,
District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Adv.

For the Opposite Party/s :

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 28-09-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with Saharsa
Sadar P.S. Case No. 1005 of 2016 registered for offences
punishable under sections 341 and 307/34 of the Indian Penal
Code and section 27 of the Arms Act.

Allegation against the petitioner and other co-accused
persons is of firing on the informant causing injury on his person.

It has been submitted on behalf of the petitioner that
the petitioner is not named in the FIR. The name of the petitioner
transpired on the confessional statement of FIR named accused
Mihir Kumar Trivedi @ Karan Tiger Trivedi and Chhotu Kumar
Mishra who have been allowed regular bail by different co-



ordinate Benches of this Court in Criminal Misc. Nos. 25073 and 30271 of 2017. The case of the petitioner stands on better footing to the case of co-accuseds who are on bail. The petitioner is in custody since 25.11.2017. The petitioner has three more cases which is mentioned in paragraph 3 of this application.

Considering the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and he is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar P.S. Case No. 1005 of 2016, subject to the 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 cooperate in the disposal of trial and make himself available as and when required by the court.

(Sanjay Kumar, J)

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