

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17269 of 2019**

Arising Out of PS. Case No.-6 Year-2017 Thana- PANDAUL District- Madhubani

Bala Mishra, Son of Anil Mishra, Resident of Village- Lorika, P.S.- Benipatti,
District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Singh

For the Opposite Party/s : Mr. Parmanand Kumar

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 27-03-2019 Heard leaned counsel for the petitioner and
learned APP for the State.

The petitioner is languishing in custody since
28.08.2017 in a case registered for the offence punishable under
Section 392 of the Indian Penal Code.

The prosecution case is that the informant was sitting
in the cash counter of petrol pump and was collecting money, in
the meantime, four miscreants came on the motorcycle and on
the pistol point, robbed cash amount of Rs.1,75,000/- from the
petrol pump, leading to the registration of FIR against four
unknown persons. It is further alleged that the name of the



petitioner sprang up on the confessional statement of co-accused Shatrudhan Yadav during investigation.

It is submitted by learned counsel for the petitioner that there is no recovery from the conscious physical possession of the petitioner and investigation has already been concluded. It is further submitted that similarly situated co-accused Shatrudhan Yadav @ Shatrudhan Kumar Yadav has been granted bail by a Co-ordinate Bench of this Court vide order dated 30.10.2018 passed in Cr. Misc. No.65718 of 2018.

Learned APP for the State submits that the name of the petitioner sprang up on the confessional statement of the co-accused Shatrudhan Yadav @ Shatrudhan Kumar Yadav during investigation and he is having criminal antecedents.

Considering the fact that the petitioner has not been put on T.I. Parade till date, investigation has already been concluded and similarly situated co-accused Shatrudhan Yadav @ Shatrudhan Kumar Yadav has been granted bail by a Co-ordinate Bench of this Court, let the above named petitioner 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 learned **CJM, Madhubani** in connection with **Pandaul P.S. Case No.06 of 2017.**



Since the petitioner is having serious criminal antecedent, learned court below will be at liberty to cancel the bail bonds of the petitioner, if he defaults for two consecutive occasions or gets involved in some serious nature of offence.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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