

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 52629 of 2019

Arising Out of PS. Case No.-448 Year-2017 Thana- KOTWALI District- Munger

UTTAM MISHRA, aged about 29 years (Male), S/o Bikas Mishra, R/o village- Basgarha, P.S.- Kotwali, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

For the Petitioner/s : Mr.Dhirendra Nath Jha

For the Opposite Party/s : Mr.Rajeev Nayan

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD
ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks bail in a case registered under Sections 302/34 of Indian Penal Code.

Learned counsel for the petitioner submits that first information report is against unknown persons. The petitioner has falsely been implicated in this case only on the basis of his name transpiring as accompanying the co-accused persons. The other co-accused person, to whom the fire shot is attributed during course of the investigation, namely, Bipin Sah, has been allowed bail by the Sessions Judge, Munger on 14.08.2018. The other co-accused person, who has also taken the name of the petitioner, namely, Paras Mani @ Ghatak @ Ghatak Paswan has also been allowed bail by this Court in Cr Misc No 54484 of 2018. Learned counsel for the petitioner further submits that in five cases, the petitioner, after his implication, was acquitted. Only four other cases are pending against him today in which



also he is on bail. In the instant case, the petitioner is in custody since 24.06.2019.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, prayer for bail is allowed.

Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Munger in Kotwali Police Station Case No 448 of 2017 subject to the following conditions:

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailors will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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