

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69590 of 2019

Arising Out of PS. Case No.-129 Year-2019 Thana- SIMRI District- Darbhanga

ROHIT KUMAR MISHRA S/o Jamun Mishra @ Jamun Singaswar Mishra
R/o village- Birakh, P.S.- Sursand, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha
For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 17.08.2019 in connection with Simri P.S.Case No. 129 of 2019 for the alleged offences under Sections 399, 402 and 120(B) of the Indian Penal Code and Sections 25(1-A), 25 (1-AA), 26 (2) and 35 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated in connection with the alleged recovery of one loaded country-made pistol. It is submitted that the said recovery has been made from co-accused Arvind Kumar Thakur and the petitioner has been implicated merely because he was one of the four persons sitting in the vehicle. No recovery of any arms has been made from the possession of the petitioner. Similarly situated co-accused have been granted bail by this Court in Cr. Misc. No.68150 of 2019. The petitioner claims clean antecedents.

4. Be that as it may, let the petitioner above named 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 Chief Judicial Magistrate, Darbhanga in connection with Simri P.S.Case No. 129 of 2019, on the following conditions--

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That 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.

(iv) 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 reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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