

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.6268 of 2020**

Arising Out of PS. Case No.-190 Year-2019 Thana- KHARIK District- Bhagalpur

Sittu Mishra @ Vidya Sagar, Son of Late Ganesh Mishra, Resident of
Mohalla- Ishak Chak, P.S.- Ishak Chak, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Manoj Kumar, Adv.

For the Opposite Party/s : Mr.Umesh Lal Verma, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 08-07-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking
anticipatory bail in connection with Kharik P.S. Case No.190 of
2019 registered for the offences punishable under Sections 414,
419 and 420/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
First Information Report has been lodged by S.I. of police who
apprehended the co-accused Piyush Kumar with the stolen
motorcycle with a fake number plate. He is said to have
disclosed the name of this petitioner as his associate, however,
in course of investigation no material has been collected by the
police to connect the petitioner with the present case and it is for



this reason that from the case diary it will appear that while charge-sheet has been filed against the co-accused Piyush Kumar, the investigation against the petitioner was kept pending. It is also submitted that the petitioner has got no criminal antecedent.

Learned APP for the State has though opposed the prayer for anticipatory bail of the petitioner, but considering the fact that the name of the petitioner has transpired in the statement of the apprehended accused and no other material has been placed before this Court to support the allegation as also that the petitioner has got no criminal antecedent, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today in connection with Kharik P.S. Case No.190 of 2019 be released on bail on furnishing bail bonds of Rs. 25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Naugachia, District-Bhagalpur, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;



(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

