

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21904 of 2020

Arising Out of PS. Case No.-250 Year-2019 Thana- RAJPUR District- Buxar

JAGATANAND MISHRA Son of Santosh Mishra Resident of Village-
Ankodha, P.S.- Dinara, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Gupta

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-07-2020

The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

At the outset, the learned counsel for the petitioner undertakes to remove all the defects, as pointed out by the stamp reporter, within a period of four weeks of resumption of normal physical functioning of the Court including resumption of physical filing.

Heard the learned counsel for the petitioner and Smt. Anita Kumari Singh, the learned A.P.P. appearing for the State.

The petitioner seeks regular bail in connection with Rajpur P.S. Case No. 250 of 2019 for the offence punishable



under sections 392, 411 and 307 of the Indian Penal Code and section 27 of the Arms Act.

The case of the prosecution in brief is that while the informant, on the alleged date and time of occurrence, was returning after dropping his maternal aunt, to her home, and had reached near the alleged place of occurrence at about 4:20 P.M., three miscreants had stopped his motorcycle, whereafter one of the miscreants had pointed a pistol on the informant, whereupon the other miscreants had assaulted him and snatched his motorcycle. It is further alleged that upon an alarm being raised, the villagers had arrived there and chased the accused persons, whereupon the miscreants had thrown the motorcycle of the informant in the field and had tried to flee away, however, the said three miscreants were arrested and one of them is stated to be the petitioner herein.

The learned counsel for the petitioner submits that the petitioner is innocent, he has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 06.11.2019. It is further submitted by the learned counsel for the petitioner that no illicit arms have been recovered from the petitioner and the petitioner has already been suitably punished inasmuch as he is languishing in custody



since a very long time.

The learned Additional Public Prosecutor has vehemently opposed the prayer for regular bail.

Having regard to the facts and circumstances of the case, considering the submissions advanced by the learned counsel for the petitioner and taking into account the period of incarceration of the petitioner, apart from the fact that he is having a clean antecedent, I deem it fit and proper to direct for the release of the petitioner on regular bail.

Accordingly, the petitioner, above-named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Rajpur P.S. Case No. 250 of 2019.

(Mohit Kumar Shah, J)

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