

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28946 of 2020

Arising Out of PS. Case No.-197 Year-2019 Thana- MUSAHARI District- Muzaffarpur

Prabhat Mishra @ Prabhat Kumar, S/o Dayakaran Mishra, Resident of
Village-Madhuban, P.S.- Muzaffarpur Sadar, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Jha, Advocate

For the Opposite Party/s : Mr.Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 09-11-2020 Since as of now the Courts have not resumed
normal physical hearing, the matter has been listed today
for consideration through video conferencing.

The learned counsels are appearing and making
submissions from their residence.The Court Master and
Secretary are also part of this virtual Court proceedings
from their homes, all with the aid of audio visual
technology.

Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with
Musahari P.S. Case No.197 of 2019 registered for the
offence punishable under Section 392 of the Indian Penal
Code.



Two unknown persons have allegedly stopped the informant and snatched the keys of his motorcycle and robbed him at gunpoint.

It is submitted by the petitioner's counsel that three persons have been taken into custody in connection with this case, including the petitioner. The petitioner has seven cases pending against him since before and he is on bail in all the cases except one. In the present case, he is in custody since 07.09.2019. Other co-accused, Ritu Raj, who is having similar allegations, has been allowed bail in Cr.Misc. No.82094 of 2019, vide order dated 27.05.2020.

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

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, 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 the learned C.J.M., Muzaffarpur, in connection with Musahari P.S. Case No.197 of 2019, subject to the following conditions:

- (i) 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 bailor will also undertake to inform the court if there is any change in the address of the petitioner.

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

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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