

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75267 of 2019

Arising Out of PS. Case No.-293 Year-2018 Thana- MUFFASIL District- West Champaran

ASHOK MISHRA, S/O Praduman Mishra @ Pradhuman Mishra Resident of
Village- Belwa, Awraiya, PS- Bettiah (M), Banuchhapar, District- West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 21-01-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 399/402 of
the Indian Penal Code and Section 25(1-b)a/26/35 of Arms Act.

Allegation is recovery of one country made loaded
pistol and one live cartridges from the possession of co-accused
Rajan Mishra.

It has been submitted on behalf of the petitioner that
he is innocent and has falsely been implicated in this case. It
has been submitted that name of the petitioner has surfaced in
this case on the confessional statement made by the co-accused
Rajan Mishra who has already been granted bail by a co-



ordinate Bench of this court as contained in Annexure-2.
Similarly placed co-accused has already been granted bail by a
co-ordinate Bench of this Court as contained in Annexure-2.

Considering the aforesaid facts and circumstances of
the case, let the petitioner named above be released on
anticipatory bail, in the event of his arrest or surrender before
the court below within a period of four weeks from today, on
furnishing bail bond of Rs. 20,000/- with two sureties of the like
amount each to the satisfaction of learned court below where the
case is pending in connection with Bettiah (M) Manuwapul
P.S. Case No. 293 of 2018, subject to the condition as laid down
under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient
immovable property within the jurisdiction of the court
concerned.

(2) Petitioner shall co-operate in the trial and shall be
present on each and every date fixed by the court and his
absence on two consecutive dates without proper and reasonable
reason will be sufficient to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the
witnesses of the case, in that case, prosecution will be at liberty
to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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