

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13201 of 2021

Arising Out of PS. Case No.-650 Year-2019 Thana- SAHARSA District- Saharsa

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KESHAV MISHRA S/o- Niraj Mishra @ Niraj Kumar Mishra Resident of
Village- Bangoan, P.S.- Bangoan, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pawan Kumar, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 23-07-2021 In view of sudden resurgence of COVID-19 infection

there is limited functioning of the High Court and therefore the

matter has been listed for consideration through virtual mode.

Heard learned Counsel for the petitioner and the

learned APP for the State.

This Court would expect that the petitioner's Counsel

would honour his undertaking in the instant proceedings

regarding supply of requisite court fee etc. within two weeks

from the date he is called upon to do so by the office.

Petitioner seeks bail in Saharsa Sadar PS Case No.

650 of 2019, registered under Section 394 of the Indian Penal

Code.

Four persons with their face covered have allegedly

stopped the informant and looted his mobile, purse with ATM



Card, motorcycle and some documents.

Learned counsel for the petitioner submits that on confessional statement of co-accused Shrawan Kumar, having no evidentiary value, petitioner has been implicated in this case. He is on bail in two cases pending against him since before. Co-accused Shrawan Kumar, who has named the petitioner, has been allowed bail in Cr. Misc. No. 37946 of 2020 dated 05.02.2021. There is no recovery from the petitioner to suggest his involvement. He is in custody since 25.08.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa, in Saharsa Sadar PS Case No. 650 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.

(Madhuresh Prasad, J)

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