

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28476 of 2021

Arising Out of PS. Case No.-417 Year-2020 Thana- GOVINDGANJ District- East
Champaran

=====

ATUL KUMAR @ ATUL MISHRA Son of Vijay Kant Mishra Resident of
Village- Manguraha, P.S.- Govindganj, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

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

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

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 14-12-2021 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Petitioner who is in custody since 07.12.2020 seeks
regular bail in connection with Govindganj P.S. Case No. 417 of
2020 registered for offences punishable under Sections 398, 394,
393, 307/34 of the Indian Penal Code and Section 27 of the Arms
Act.

As per the prosecution case, two accused persons
including one Saurabh Upadhyay confronting the informant,
abused him and the accused also fired on him causing serious
injuries.

Learned counsel on behalf of the petitioner submits that
the petitioner was one of the participants of the alleged offence
and not named in the F.I.R. He has falsely been implicated in this
case in course of investigation. His name transpired in the



confessional statement of co-accused Saurabh Upadhyay. It is further submitted that the allegations against the petitioner are false and he is in custody since 07.12.2020. It is further submitted that charge-sheet has already been submitted and there is no chance of tempering of evidence.

Learned A.P.P., however, opposes the prayer for bail.

Considering the facts and circumstances of the case, let the petitioner above named, be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1, Motihari, East Champaran in connection with Govindganj P.S. Case No. 417 of 2020 subject to the following conditions:

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

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tempers 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.

(Purnendu Singh, J)

Niraj/-

U		T	
---	--	---	--

