

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30370 of 2021

Arising Out of PS. Case No.-207 Year-2019 Thana- RAJNAGAR District- Madhubani

Abhishek Mishra S/O Sunil Kumar Mishra Resident of Village - Dumantha,
Mahadev Mandir, Police Station - Pandaul, District - Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Shubham

For the Opposite Party/s : Mr.Uma Shankar Pd. Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 21-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Rajnagar P.S. Case No. 207 of 2019, corresponding to G.R. No. 1385 of 2019, registered for the offence under Section 302 / 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, on 26.07.2019 at about 9:00 AM, brother of the informant alongwith his nephew proceeded for Madhubani by motorcycle and at about 9:15 AM, the nephew informed the informant that the brother of the informant shot at by three unknown miscreants.

Petitioner is not named in the FIR. Name of the petitioner has transpired in the confessional statement of co-accused Md. Afzal, who has already been granted bail by the court below itself and thereafter, one similarly situated co-accused namely Rohit Yadav has also been granted bail by a



coordinate Bench of this Court, vide order dated 17.03.2020 passed in Cr.Misc. No. 73679 of 2019. Till date, petitioner has not been put on T.I.P. and he is in custody since 26.03.2020.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner 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 learned A.C.J.M., Jhanjharpur, Distt. Madhubani in connection with Rajnagar P.S. Case No. 207 of 2019, corresponding to G.R. No. 1385 of 2019, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

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

(Prabhat Kumar Singh, J.)

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