

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4895 of 2021

Arising Out of PS. Case No.-114 Year-2020 Thana- ASHOK PAPER MILL District-
Darbhanga

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HARI SUNDAR PRASAD MISHRA Son of Ram Narayan Mishra Resident
of Village - Pator, P.S.- A.P.M., District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Thakur
Ms. Vaishnavi Singh

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-03-2021 Heard both parties.

The petitioner seeks bail in Pator OP (APM) P.S. Case No. 114 of 2020, registered for the offence punishable under Sections 302, 201, 376/34 of the Indian Penal Code and section 4/8 of the POCSO Act and sections 3(1)(r)(s) and 3(2)(v) of the SC/ST Act.

As per the prosecution case, on 01.07.2020 at about 7.00 am, while the informant was sleeping, his wife informed him that her daughter did not return from tuition. When the informant reached at the house of Arjun Mishra and enquired about her daughter, he got angry and abused her. Upon search, the informant found the dead body of her daughter behind the house of Arjun Mishra lying in the field and was covered with



leaves having injuries over her body.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case. The only evidence which has come against this petitioner is that this petitioner was found talking with co-accused Arjun Mishra. As a matter of fact, the deceased died due to electrocution and the same fact is also corroborated by the postmortem report. Similarly situated co-accused have been granted bail by this Hon'ble Court. Petitioner claims clean antecedent and he is in custody since 08.07.2020.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged 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 Special Judge (POCSO Act), Darbhanga in connection with Pator OP (APM) P.S. Case No. 114 of 2020, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be



cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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