

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40520 of 2020

Arising Out of PS. Case No.-926 Year-2019 Thana- SAHARSA District- Saharsa

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KESHAV MISHRA Son of Niraj Kumar Mishra Resident of Village -
Bangoan (South), 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

For the Opposite Party/s : Mr.A.G

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-02-2021 Heard both parties.

The petitioner seeks bail in Saharsa Sadar P.S. Case
No. 926 of 2019, registered for the offence punishable under
Section 395 of the Indian Penal Code.

As per the prosecution case, eight miscreants having
firearm entered into the shop of informant and committed
dacoity. On chase, two miscreants were arrested who disclosed
their names as Ranjan Yadav and Vijay Thakur and they
disclosed the name of petitioner and two others as their
associates.

It is submitted on behalf of the petitioner that
petitioner has falsely been implicated in this case. Name of this
petitioner has come in this case on the confessional statement of
co-accused who were apprehended on the spot. No



incriminating article has been recovered from possession of this petitioner. No test identification parade has been held till date. Similarly situated co-accused Pramod Kumar Yadav and Bhavesh Kumar have been granted bail by different Benches of this court vide orders dated 05.06.2020 passed in Cr. Misc. No. 4486 of 2020 and dated 18.02.2020 passed in Cr. Misc. No. 9400 of 2020. It is further submitted that petitioner is accused in five more cases and in all those cases he is on bail. Chargesheet has already been submitted. Petitioner is in custody since 13.12.2019.

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 Additional Chief Judicial Magistrate II, Saharsa in connection with Saharsa Sadar P.S. Case No. 926 of 2019, 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)

vinita/-

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