

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13819 of 2022

Arising Out of PS. Case No.-827 Year-2020 Thana- SAHARSA SADAR District- Saharsa

Kanhaiya Mishra Son Of Shri Manoj Mishra @ Manoj Kumar Mishra
Resident Of Mohalla- Tiwari Tola, Ward No. 33, P.S. And District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

: Mr. Suraj Kumar, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, A.P.P

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 17-08-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner seeks bail in connection with a case
registered for the offences punishable under Sections 147, 148,
149, 341, 323, 324, 307, 302, 504 and 506 of the Indian Penal
Code and 27 of the Arms Act.

The prosecution case, in short, is that the informant's
son was shot by co-accused Ashish Kumar Mishra and after that
the petitioner along with other accused, who were armed with
weapon and knife, gave several times knife blow on the
informant's son who died in the said occurrence.



Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that from perusal of the F.I.R, it appears that allegation of firing upon the deceased is against co-accused namely, Ashish Kumar Mishra. Further, it is submitted that another co-accused namely, Ankit Mishra has been granted bail by a Co-ordinate Bench of this Court vide order dated 10.03.2022 passed in Criminal Miscellaneous No. 40075 of 2021, Tarun Kumar Mishra @ Tarun Mishra has been granted bail by a Co-ordinate Bench of this Court vide order dated 29.03.2022 passed in Criminal Miscellaneous No. 50661 of 2021 and Bansraj has been granted bail by a Co-ordinate Bench of this Court vide order dated 17.05.2022 passed in Criminal Miscellaneous No. 2299 of 2022. The petitioner is in custody since 29.06.2021, charge-sheet has been submitted in the case and has antecedent of one case.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only with two sureties of the like amount each to the satisfaction of the



learned Chief Judicial Magistrate, Saharsa Sadar in connection
with Saharsa P.S. Case No. 827 of 2020.

(Khatim Reza, J)

Gaurav Kumar/-

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