

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53139 of 2021

Arising Out of PS. Case No.-277 Year-2015 Thana- SHEOHAR District- Sheohar

Prabhakar Mishra @ Prabhakar Jha Son Of Shyam Sundar Mishra R/O
Village- Gangwara, P.S.- Runnisaidpur, Dist.- Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhubala Verma

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-05-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks. In the eventuality of
non-removal of defects within undertaken period, the office will
place the matter before the Bench.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Section 387 of the
Indian Penal Code.

Petitioner is said to have demanded Rangdari from the
employee of the Godrej Company.

It is submitted by learned counsel for the
petitioner that petitioner is innocent, not named in the FIR and
has been falsely implicated in this case. He submits that there is
general and omnibus allegation levelled against the petitioner.



He submits that occurrence took place on 11.12.2015 but FIR has been lodged on 15.12.2015 after delay of four days. He submits that the similarly situated co-accused has already been granted bail by the learned court below itself. He further submits that petitioner has two criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts that the similarly situated co-accused has already been granted bail, the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Sheohar P.S. Case No. 277 of 2015, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with further conditions:

(1) that one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to who he is related with the petitioner. He will also undertake to



inform the court if there is any change in the address of the petitioner.

(II) that the petitioner will be well represented on each and every date fixed in the case and if he fails to do so on two consecutive dates his bail bonds shall be liable to be cancelled.

(III) that the petitioner will mark his attendance in the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(IV) that the bailor shall also stated on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(Anjani Kumar Sharan, J)

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